

A NATIONAL EVALUATION OF PEACE INVESTIGATIVE INTERVIEWING

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ABSTRACT

In 1992 the police service of England and Wales introduced basic interviewing training for police officers. Training was based on the mnemonic PEACE (Planning & preparation, Engage & explain, Account, Closure, & Evaluation) providing an interview structure, and the name of a five day experiential course. The course included guidance on interviewing suspects and witnesses, incorporating good practice from research in the fields of social, cognitive and occupational psychology. A pre release evaluation based on pre and post course assessments, found that PEACE training improved interviewing skills and knowledge (McGurk, Carr & McGurk, 1993). However, subsequent unpublished studies found that PEACE training was not having the positive impact that had been found in the initial evaluation (e.g. Jones, 1996; Rigg, 1999). The research reported here set out to clarify whether PEACE training was improving police interviewing skills, and if it was not, identify the skills gaps.

Initially a survey was conducted to determine the number of police officers trained to use PEACE. This was followed by an analysis of 177 real interviews with suspects of crime, using a specially constructed rating scale. In addition, a sample of 75 real interviews with witnesses were analysed with a separate rating scale. Further, analysis was then conducted, to examine the interview process with witnesses, on a subset of 10 witness interviews concerning the crime of assault. Finally, a Behaviourally Anchored Rating Scale (Smith & Kendell, 1963) was developed for assessing interviews with suspects.

Training had little impact on officers' interviewing skills for interviews with either suspects or witnesses. Workplace supervision by police officers was found to improve communication skills and interview structure for interviews with suspects. This finding adds to the developing literature on the importance of ongoing supervision for investigative interviewing. However, the checklist use by the police service for assessing such interviews was found to be flawed. Interviews with witnesses were of a poorer quality than those with suspects. It was established that good practice, for example the Cognitive Interview (Fisher & Geiselman, 1992), was not used in real interviews, which seemed instead to follow the Standard Police Interview (George, 1991). Interviewers conducting real witness interviews relating to bulk crime focussed on statement taking rather than interviews. It is hypothesised that officers' schema for statement taking is stronger than for interviewing.

LITERATURE REVIEW

Introduction

In 1992 the police service of England and Wales introduced one of the most far reaching national changes to policing practice ever to have come from within the service. This was the provision of a common standard and training package for police interviewing under the label of PEACE. Despite popular myth, most police officers received no formal interview training prior the introduction of PEACE. Indeed, there was a growing body of literature which suggested that police officers were, in fact, poor interviewers. This thesis provides a national evaluation of the impact of PEACE training six years after its inception.

Part 1 of the thesis examines the literature that is available on police interviewing, involving PEACE, the psychology of interviewing, training transference, and interview assessment. Part 2 reports on a series of studies that constitute an evaluation of the national package. Finally, the impact of this evaluation is discussed in terms of changes that have taken place since and future needs.

In Part 1, the Literature Review, at the outset the history of police interviewing in Britain is examined. Consideration is given to the impact that the introduction of tape recording of interviews with suspects had on practice. The discussion then goes on to examine the government and police response to the expanding research base on police interviewing techniques, which leads into a description of PEACE. PEACE is introduced as the model of interviewing developed for police officers in Britain. Each element of the model is examined in relation to its grounding in the psychological literature, with individual sections being devoted to the two styles of interviewing taught during training, the cognitive interview and conversation management. This is followed by an examination of how PEACE has been developed since its inception. Finally, consideration is given to how the written witness statement fits with the PEACE model.

Of course, just because an interviewing style has a good foundation does not mean that it will be a success in practice. An examination of PEACE training is then undertaken together with a consideration of the impact that the training seems to have had on practice. A range of unpublished PEACE evaluations are examined and commented on. This leads to an in depth look at what features need to be in place to encourage the transference of learning from the classroom to the workplace. One

way to help with the transference of learning is to provide people with feedback on how they are using their new skills in the workplace. The best way to do this with interviewing is to provide an assessment and feedback from the tape recorded interview. The last part of the literature review examines the issue of interview assessment for PEACE. This is expanded by evaluating the literature from occupational psychology on assessment in general, which paves the way for the studies that make up the national evaluation of PEACE.

In Part 2, Empirical Research, the first study examines the extent to which PEACE training has been taken up by the police service in England and Wales. A survey study was conducted with police training managers. The questionnaire examined two broad areas of interest: (1) PEACE training and (2) interview supervision. In addition, participants were sought to take part in further aspects of the evaluation.

This is followed by Study 2, an evaluation of police interviews with persons suspected of crime. The interviewers consisted of officers trained and untrained in PEACE at locations that did or did not have an interview supervision policy (with the evaluations being conducted by police officers experienced in PEACE, using a specially constructed rating instrument). The resulting data are analysed and the impact of PEACE training on the interviews is discussed.

Study 3, examined a set of interviews with victims and witnesses of crime. A description of the evaluation of these interviews using another specially constructed rating instrument is provided. Once again the interviewers consisted of officers trained and untrained in PEACE at locations that did or did not have an interview supervision policy. In addition to which, some of the interviews related to serious crimes and others to bulk crimes. Data from this study are analysed and the impact of training is considered. The purpose of many police interviews is to obtain an account of an event from the victims of and witnesses to crime. The next study, study 4, gives an account of the process that police officers go through when interviewing victims and witnesses. A subset of the data from study 3, relating to the crime of assault, was examined to identify patterns of interviewer behaviour. The resulting data are analysed and observations made on the purpose of such interviews.

Whilst conducting this evaluation in study 2 & 3 concerns were raised over the validity of the current assessment instrument used by the police service to supervise PEACE interviews. The last study, study 5, reports on the creation of a Behaviourally Anchored Rating Scale (BARS) for supervising interviews with persons suspected of

crime. This is followed by a comparison of the BARS and interview checklist currently in use by the police. The results of this comparison are analysed and future research is identified.

In Part 3 an overview of the findings from the studies conducted for this thesis are brought together and discussed. This discussion brings together what has been learnt from the practical studies together with the initial impact that this has had on police interviewing. This is followed by further suggestions for changing practice and procedures if the police service and judiciary are to be able to provide the service that the public deserve. This will lead to proposals for research that remains to be completed. Finally, the conclusion summarises the main findings of this national evaluation and the impact the PEACE has had on police interviewing practice.

A history of police interviewing

One of the core skills that police officers are expected to have is that of interviewing people. The term interviewing has been defined “as a speech event in which one person, A, extracts information from another person, B, which was contained in B’s biography” (Labov & Fanshel, 1977 cited in Rock, 2001). Whereas, an interviewer is someone who uses conversation to obtain information (Gorden, 1975). Nevertheless, despite currently being viewed as a core skill for police officers, Williamson noted that in relation to the police questioning of suspects it is:

remarkable that the police [in Britain]* collected this responsibility by default when Justices of the Peace lost their inquisitorial responsibilities in the eighteenth century, leaving them only with magisterial responsibilities. As the new constabularies began to proliferate across England and Wales police officers began to question suspects prior to the judicial hearing. Some judges would allow reports of such conversation to be given in evidence whereas this was anathema to other judges, The Home Secretary referred the matter to the judges and in 1906 the Judges Rules were published (Williamson, 1993, p. 57).

When it comes to the interviewing of witnesses and victims, it is likely that the police ‘inherited’ the responsibility in the same way. Though Heaton-Armstrong and Wolchover (1999, p. 224) point out that the need for the investigating justice of the peace to record depositions from informants “was placed on a general footing [in Britain]* by the landmark bail and committal statutes enacted in the reign of Phillip and Mary”, such recordings would have become the first witness statements. Subsequently Sec 9, Criminal Justice Act, 1967 allowed for these statements to be submitted as witness evidence in certain circumstances.

Despite the increasing importance in policing of interviewing, or interrogation as it has been called, most police officers in Britain received little or no instruction in this aspect of their work until the development of PEACE training. Research has found that this situation is the same in other parts of the world The Rand Corporation (cited in Fisher and Geiselman, 1992) reported that more than half of the US Police Departments that they surveyed reported no interview training for newly appointed investigators and Sanders (1986) reported that only 2% of the US police officers in his study had received any training in witness interviewing. More recently Fisher and Geiselman (1992) revealed a similar pattern in Miami and Los Angeles during an informal study of police officers. Cahill and Mingay (1986) report a similar situation in

Britain. This has been the experience of the current author, a police officer for over 30 years. In 1971 he received five days training on how to take witness statements whilst working with the army Special Investigation Branch. No further interviewing training was received until 24 years later (after being in the Metropolitan Police Service, London for 14 years) when he received PEACE interviewing training. This lack of training is a typical experience of many officers.

One reason for this lack of training might have been as McKenzie (himself an ex police officer) suggested, that in the past many police officers of all ranks did not want or see the need for such training. McKenzie went on to suggest that learning by 'standing by Nelly' was the norm and in this way:

interview techniques were passed from one officer to another, and sometimes from those who had been trained in the specialised techniques of the armed services. What developed, because in behaviourist terms it was reinforced by its own success, was a parcel of techniques which, on a regular basis, produced confession. (McKenzie, 1992, p. 2).

This background to the police interviewing of suspects probably explains how the interviewing of suspects came to be termed interrogation: a military idea. In the USA they talked about the third-degree which has been defined as "Intensive questioning or rough treatment used to obtain information or a confession" (Ammer, 1997, p.1). Munsterburg (1908) suggested that "the dazzling light and the cold-water hose and the secret blow seem still to serve, even if nine-tenths of the newspaper stories of the 'third degree' are exaggerated" (p. 1). Whereas, in Britain Sir Robert Mark (1978) writing about his time as a police officer, recalls a detective in the 1940's who would deal with hardened criminals by turning them upside down and putting their heads in a toilet bowl.

The use of physical and mental pain to make suspects confess to crimes (whether they actually committed them or not) has been a feature of 'justice' across the globe for thousands of years (Munsterburg, 1908). Holmburg (2004) points out that contemporary views (in some countries) are clearly against the use of such coercion in police interviews, not least because they are ineffective. Despite this, Leo (1992) suggests that coercion was a feature of police interviewing until the 1930's and perhaps longer, as demonstrated by memories of Sir Robert Mark (described above). Nevertheless, by the 1930's psychologists were beginning to warn against the use of such coercive tactics. For example, Hassler (1930) proposed that police interviews in Sweden should be inquisitorial with police officers asking questions and in this way

being induced to confess, rather than inflicting pain or using threats and deceit. Halfway around the world in Brazil, Peixoto (1934) proposed that the 'third degree' was inquisitorial and therefore of doubtful value.

Even in modern times the 'successes', noted by McKenzie (1992) above, were not always within the laws/ guidelines of the day and there were complaints in Britain about police interviewing practices (with suspects) even before such interviews were regularly recorded on audio tape. The Confait Enquiry (Fisher, 1977) examined allegations of police malpractice in relation to three men accused of murder. Although in this instance the police were found not to have assaulted the defendants or fabricated their confessions. In fact, Irving (1985) later suggested that no substantial evidence of police malpractice emerged during the Fisher hearings, just faint echoes. However, Fisher (Fisher, 1977) did conclude that the defendants' rights had not been properly observed; this included unfair and oppressive questioning. One of the consequences of these findings was changes to the Judges' Rules which governed the interviewing of suspects, and later the development of the Police and Criminal Evidence Act, 1984.

Two years after the Fisher report, the Royal Commission on Criminal Procedure (1981) employed Irving (1980) to examine the way in which police conducted interrogations. From an examination of 60 interviews he found that police used a variety of

manipulative and persuasive tactics which included:

- (i) Pointing out the futility of denial;
- (ii) Pretending that the police were in possession of more evidence than was in fact the case;
- (iii) Manipulation of the suspect's self esteem; and
- (iv) Advising interviewee's that it was in their best interests to confess. (Milne & Bull, 1999, pp. 74-75).

Irving's (1980) observations found that police interrogations seemed to follow the manuals of interrogation of the day such as Inbau and Reid (1967) and Royal and Schutt, (1976). It is in some ways surprising that these manuals were still being used because Zimbardo (1967) had previously said that the techniques proposed in such manuals were coercive and deprived people of their humanity and individual rights. Indeed, he suggested that current police techniques represent a highly sophisticated application of psychological principles which for many people are more compelling and coercive than physical torture (Zimbardo, 1967, p. 456).

Clearly there were consistent messages from psychologists that police interviewing techniques were nothing more than a form of torture – something that had been practiced for thousands of years. The problem is that whether a police officer learnt their interviewing skills by ‘sitting by Nelly’ or from one of the manuals, mentioned above, they “produce[d] both true confessions from the guilty and false confessions from the innocent” (McKenzie, 1992, p. 5). What is worrying is that 25 years after Zimbardo’s seminal paper, when commenting on an interview from the Cardiff Three appeal, the Lord Chief Justice said: “Short of physical abuse it was hard to conceive a more hostile and intimidating approach by officers to a suspect” (Williamson, 1994, p. 109).

In 1983 a serving British police officer (Walkley, 1983) surveyed detectives’ views on the use of force when conducting interviews. Just over half of the detectives believed that police officers should not use violence to get suspects to confess, although the remaining officers thought that such violence could be helpful. Only, 10% of the surveyed detectives actually admitted to using force to obtain a confession. However, half the sample were prepared to use the public’s perception that police officers regularly use force to get a confession.

The use of force and trickery to obtain confessions from suspects is something that attitude surveys during the 1980s consistently showed to be a concern of the general public (e.g. Smith, 1983; Jones, McLean, & Young 1986). In 1981 an observational study (Softley, 1980), undertaken for the Royal Commission, found that 13% of cases would have failed to provide prima facie evidence without the confession and in a further 4% the defendant would have been acquitted (Williamson, 1992). The main reasons for these confessions being unreliable was:

- (i) Violence or threats of violence,
- (ii) The effects of custody,
- (iii) Psychological tactics,
- (iv) Suspects who are at risk and liable to make false confessions, and
- (v) Other, unethical behaviour on the part of police.

By the early 1980s there was a pattern of police interviewing practice emerging in England and Wales that was increasingly being viewed as unacceptable. In 1981 the Royal Commission concluded that:

Retraining and readjustment of attitudes will also be required throughout the service and this will produce stresses as the new procedures are assimilated

... It is equally important to convey to the detective in training a sharper awareness of the psychology of custody and interrogation and some basic analysis of and skills in methods of interviewing (para 10.14, p. 1995). (Williamson, 1992, p. 290).

As a result of the Royal Commission, the government set about introducing sweeping new legislation on the detention and interviewing of persons suspected of crime: The Police and Criminal Evidence Act 1984, (PACE) together with an accompanying Codes of Practice. Despite its long passage through parliament McKenzie (1992, p. 6) described it as:

a model of 'consultative legislation'.....[which displays] a developing understanding on the part of some members of the legal professions of the 'principles of psychology' – the 'nature of human nature'. In particular the manner in which the Act and codes address the process of incarceration, interviewing and interrogation.

After its enactment in 1986, this legislation had far reaching effects on the police practice of interviewing. The Codes of Practice not only defined an interview but set out the conditions for interviewing suspects, together with the warnings/ cautions that should be given. More importantly Code E introduced the requirement for interviews with suspects to be recorded on audio tape, which meant for the first time the interview process would be open for wider scrutiny. Unfortunately, the training in interviewing skills recommended by the Royal Commission did not materialise. Most officers only received a one day course on how to use the tape recording machines and read from aide memoire cards at the beginning and end of the interview. Nevertheless, with interviews of suspects now available for scrutiny from the audio tape, many police forces tried to fill the training gap by developing interview skills training. Rather than searching the academic literature, or employing psychologists to develop their interview training, many constabularies developed their own courses, in house, and often based the training on books by Inbau and Reid (e.g. Inbau & Reid, 1967; Inbau, Reid, & Buckley, 1986). The core of the Inbau and Reid system was, and still is, the Behavioural Analysis interview. In this interview the suspect is asked 15 pre-determined questions. It is suggested that the manner in which these questions are answered will determine whether the answer is deceptive. Truthful responses would be:

1. A direct, crisp and almost angry "No",
2. A "No" given in seemingly sincere disbelief of the suspicion or accusation,
3. A "No" that seems to imply "Are you crazy", or
4. A "No" given in a challenging manner.

Whereas, untruthful responses would be:

1. A delayed answer, followed by an emphatic “No”,
2. A delayed statement, such as “Let me see now”, accompanied by an appearance of deep thought before answering,
3. An apologetic or pleading “No” answer, or
4. A staring about the surroundings, somewhat hypnotically, before answering “No”.

Moston (1992, p. 35) pointed out that “this test uses essentially unreliable behavioural cues to make judgements concerning the truthfulness of a person’s statement”. Inbau and Reid’s support of the test “are entirely subjective” being “based on over 275, 000 successful interviews”. Indeed, even the books were (and still are by Reid Associates, Chicago) advertised as being based on “years of experience”, rather than research. Currently Reid Associates (Reid Associates, 2005) has trained 300, 000 law enforcement and security officials in its interviewing and interrogation techniques (since 1974). Yet recent research by Blair and Kooi (2004) is still critical of their teaching concerning the evaluation of non verbal cues because they are contrary to the findings of current research (Vrij, 2000). Blair and Kooi (2004) concluded that there is a serious lack of knowledge in the literature regarding The Reid Technique which, provides advice relating non verbal behaviour and deception, by suspects, that is contrary to current research. Therefore, the use of this model will increase the use of unethical interviewer behaviour and the likelihood of obtaining false confessions. In Britain such behaviour would contravene The Police and Criminal Evidence Act, 1984. Sections 76 and 78 are particularly relevant with the former setting out the rules for confession evidence and the latter dealing with unfairness in interviews (see NCF, 2000 for a useful overview).

Back in the late 1980s the police in Britain were including Inbau and Reid’s ideas to develop training in the wake of the new PACE legislation. Moston (1992, p. 35) noted the term ‘including’ is perhaps the wrong one: plagiarism might be more appropriate - to the extent that in some instances the Miranda warning (the U.S. equivalent of the caution for suspects in Britain) was left in the text! This early training seems to have been totally bereft of any form of meaningful evaluation at all because, if it had, someone would (or maybe should) have noticed that The Police and Criminal Evidence Act 1984 with its Code of Practice, made some of the standard questions proposed by Inbau and Reid, at that time, unlawful. Moston (Moston, 1992) highlighted four problematic questions that might either be seen as threatening or

suggesting the officer has evidence which implicates the suspect: both of which are practices PACE 1984 sought to curb.

However, the ideas of Inbau and Reid were not the only ones being examined by police forces in Britain. Shepherd and Kite (1988) suggested that the result of the search for training had resulted in two different philosophies of police interviewing existing in Britain (at that time). These two philosophies were described as the 'strategies philosophy' and the 'conversation management' philosophy. In the former, which was being taught by the West Midlands Interview Unit, interviewers were being advised to use a variety of strategies to help the officer maintain a psychological advantage, despite the dangers that Zimbardo (1967) had been highlighting in the use of such tactics 20 years previously. Walkley (1987), a proponent of this philosophy suggested that it would ensure suspects were mildly stressed or apprehensive: a view which seems to be in line with the focus of his 1983 thesis. Shepherd and Kite (1988) identify five areas of concern with this philosophy:

1. The 'ability to converse competently' assumption. This assumes that police officers are competent conversationalists, able to talk effectively with anyone and to take on a specific persona based on their perception of the situation.
2. The 'ability to perceive people accurately' assumption. In order to identify a strategy the officer has to be able to assess the interviewee. However, with the limited data that most officers will have, this is often very difficult. Added to which, such assessments are likely to be further aggravated by stereotypical beliefs.
3. Problems with pre-defining the interview situation and having a particular perception of the interviewee because it is likely to implement a schema for the interview, this in turn initiates a script to deal with the situation. Problems then arise when the officer is driven by the script rather than responding flexibly to the interview situation.
4. The problem of negative outcomes. The strategies philosophy advocates a category of suspect who needs a particular approach (Walkley, 1987, p. 86). This could lead to a self fulfilling prophecy confirming the accuracy of the original assessment and in turn leads to a poor public perception of the police because they are not treating people as individuals.
5. Problems of application and applicability. How does an interviewer determine what constitutes acceptable stress, or know when it is unacceptable? Not knowing the difference means that they are inappropriately prepared to differentiate between an interviewee's unwillingness and inability to tell (Shepherd & Kite, 1988). More importantly the philosophy focuses on suspects

particularly those who are resistant, which means that officers are under prepared to deal with witnesses.

The second philosophy proposed by Shepherd and Kite (1988) was conversation management. Rather than considering a set of strategies to deal with particular situations or type of interviewee, this philosophy focuses on conversational skills. This involves being able to alter a range of verbal and non verbal behaviours in order to maintain a 'mutually' acceptable relationship. In order to (Shepherd & Kite, 1988) suggested that the professional management of conversation requires an understanding of both conversation and its psychological impact on those involved. Therefore, interviewers must be flexible which they suggest can be achieved by using a script called GEMAC. GEMAC is a mnemonic for: Greeting behaviour, Explanation, Mutual Activity, and Close. A fuller examination of conversation management and GEMAC will take place later as part of the explanation of PEACE. The most important aspect of conversation management as proposed by Shepherd and Kite is that it provides a framework for interviewing witnesses and victims, as well as suspects.

Focussing on the interviewing of suspects has been a feature of the discussion so far. In many ways this reflects the police perspective on interviewing during the period under discussion. Until the late 1980's police officers interrogated suspects and took statements from witnesses and victims. Few if any talked about interviewing victims and witnesses. Whilst there had been research conducted into the effect of questions on eyewitness testimony in the USA (e.g. Loftus, 1975; 1979), and an international effort to identify the best method of interviewing children which in Britain culminated in the Memorandum for Good Practice for Video Recorded Interviews with Child Witnesses for Criminal Proceedings (Home Officer, Dept Health, 1992), there was little interest in the interviews of victims and witnesses to everyday crime. In Britain the first changes to this attitude seemed to come with the work of Shepherd and Kite (Shepherd & Kite, 1988; 1989). Though it was not only in Britain that academics were beginning to examine the way in which police officers obtain information from victims and witnesses of general crime. In the U.S.A. two cognitive psychologists Ed Geiselman and Ron Fisher started to develop a way to help police officers maximise the accuracy of eyewitness reports by creating "cognitively based retrieval-enhancement techniques" (Geiselman, et al., 1984b, p. 74), which has become known as the Cognitive Interview (CI). A full description of this technique can be found in Fisher and Geiselman (1992) and will be discussed in detail later. Of

interest at this point is that in a field study Fisher, Geiselman, and Amador (1989, p. 726) found that: "The overall pattern of data - an increase in the amount of investigatively relevant information accompanied by extremely high corroboration rates - provides strong support for the effectiveness of the Cognitive Interview in field situations". In addition, they suggested that it was a practical method of interviewing that was easy to administer and needed little training.

It was not long before police officers in Britain discovered this technique and began to examine its usefulness. Initially the CI caught the eye of E-Fit operators who were interested in improving eyewitness recall (e.g. Bennet, 1990). By the late 1980's a police inspector in London began to see the importance of the CI for interviewing victims and witnesses, and he set out to compare the effectiveness of Conversation Management (CM), which was reported as being taught in 16 (George, 1991, p. 110) British Police forces at the time, and the CI. This study examined interviews of police officers before and after training. The four experimental groups (each consisting of seven officers) were:

- Group 1 - Control Group – no training;

- Group 2 - Cognitive Interview training only;

- Group 3 - Cognitive Interview and Conversation Management training; and

- Group 4 - Conversation Management training only.

One of the most interesting discoveries from this study was that despite the lack of training (discussed above), the untrained police interviewers had a common schema for interviewing witnesses and victims. The Standard Police Interview, as George called it, was characterised by the scarcity of open questions, and predominant use of closed questions, together with questions to extend\ clarify previously given information. Indeed, the most common question was Extension\ clarification – closed. Interestingly it was not just the type of questions that were similar but also the quantity of information obtained from them. This was so for all four groups before training and the control group's second interview.

When it came to the main study groups it was found that there was no statistical differences in interview length between the groups (although, CM interviewers had a trend towards slightly longer interviews). The CI group demonstrated a massive increase in the use of open questions, whereas there were only modest improvements in the use of open questions for the CM and CM + CI conditions. Indeed, George highlighted that the significant main and interaction effects for open question use were due to the very large increase in the use of open questions for the

CI condition. The use of leading questions was reduced in all three training conditions. When it came to the amount of information obtained per question, the CI condition again demonstrated the biggest improvement. Whereas in the CM condition there was a significant reduction in the amount of information per question. Overall, the impact of CM training on interview performance was not as great as had been expected, especially considering its wide use by the police at the time (this is considered further below). In addition, the combined CM + CI group displayed no real improvement at all, there seeming to be some sort of negative interaction effect when both interview styles were trained at the same time. Despite the improved use of questions and information obtained in the CI condition, George found that not all of the CI mnemonics were used by the interviewers. The instruction to reinstate context was widely used by the participants in the CI and CI + CM conditions, whereas three of the original mnemonics; 1) instruction not to edit anything, 2) change perspective, and 3) change of order, were rarely used.

One unfortunate omission from this study is the lack of evaluation/ identification of which elements of CM were used. For the CI George examined the use of each mnemonic as outlined above to quantify and measure the use of this interviewing style. Whereas, despite identifying five main topics/ skills that are taught during CM training, which are the:

1. mechanics of conversation,
2. channels of communication,
3. listening skills, planning the interview, self presentation, introductions, and conversational styles,
4. questioning, and
5. interviewing style and resistance (George, 1991, p. 19),

there was no attempt to operationalise these skills and the attending knowledge so that CM usage could be assessed in a similar manner to the CI techniques. This means that it is not possible to identify which, if any, elements of CM were transferred to the interview room. Consequently, it is not possible to explain why the CM faired so poorly in this study. One explanation could be that despite Shepherd and Kite (1988) implying that CM can be used for interviewing witnesses and victims (the focus of George's study), the training course developed by Merseyside Police (where Kite was the inspector in charge of the Interview Development Unit) may have been geared towards interviewing suspects. This idea is supported by George's (1991) explanation that training for his CM condition as consisting of the 'standard'

CM package, plus two days focussing on witness interviews specially for the research.

In addition whilst Shepherd and Kite (1988) argued for two philosophies of interviewing being the 'strategies' and 'conversation management' philosophy, as discussed above, George proposed a different view. He suggested that CM training deals with the strategy of interviewing and that students leave the classroom with a 'sparkling new toolbox'. Whereas, CI training provides specific tools (e.g. the mnemonics) for the interviewer to aid an interviewee recall an event. An observation which makes the lack of operationalisation of CM even more unfortunate. Clearly, this is an area in need of further research if CM is to be validated as an interview technique. Despite the poor performance of CM and poor use of the CI mnemonics, George (1991) rightly made his first recommendation, as the need for an urgent review of witness interviewing. However, he was not the only person highlighting the need for the police and judiciary to take more notice of the research relating to police interviewing practise.

McKenzie (1992) suggested that by the mid 1980s there was a growing literature about police interviewing which both the Crown Prosecution Service (CPS) and police managers seemed to be studiously ignoring. Once again he was referring, in the main, to interviews with suspects as he went on to say that the literature was about to grow substantially with the audio recording of interviews with suspects. To examine the impact of PACE, Irving and McKenzie (1989) conducted a two phase study of police interviews with suspects. In the first phase, following the introduction of PACE, they found a dramatic drop in the use of tactical manipulation during interviews. Whereas, 18 months later during phase two they saw a rise in the use of such tactical manipulation; albeit still at lower levels than pre PACE. At this time (phase two) they also found an increase in "boundary testing and 'downright cynical' (some might say 'pragmatic') rule breaking" (McKenzie, 1992, p. 10). The reason for such tactical manipulations by police interviewers was to obtain a confession. Despite the fact that confessions obtained under duress, whether physical or mental, are unsafe, there is a history of the law preferring suspects to confess their crime(s) before they are sentenced. Hence the historical use of torture.

In 1989 Moston and Stephenson together with a serving police superintendent (Williamson) examined a large sample (1067) of cases and interviews from ten London police stations. Prior to examining the main data they surveyed 80 detectives

to establish whether there had been any change in view concerning the purpose of interviews with suspects since the introduction of PACE. They found that 38% of respondents wanted 'to get the truth', 24% 'to seek an explanation', 10% 'to get evidence', and only 12% wanted to 'obtain a confession'. When "asked to rank-order truth, evidence and confession, 72 per cent put truth first, 27 per cent put evidence first, and only five per cent put confession first" (Williamson, 1992, p. 291). Despite the problems with the later percentages reported in this paper (adding up to 104%), there does appear to have been a move away from focussing on confessions with this sample. However, one must consider that this could have been socially desirable responding on the part of the participants in view of one of the researcher's position within the police service.

Moston et al's. opinion is to some way supported by the findings of their main study. Prior to interviewing the suspects officers were asked the purpose of the interview and it was found that 80% of interviewers saw this as obtaining a confession from the suspect (Moston et al., 1992). The number of suspects who did confess was 446 or 41.8%, which was slightly less than found in previous studies (e.g. Softley, 1980). Only three characteristics seemed to affect a suspect's decision to confess; (i) strength of evidence (against them), (ii) offence severity, and (iii) legal advice. There was no clear link between interviewer style or strategy and case characteristic, in particular criminal history, age of suspect, sex of suspect, and offence category. Indeed they noted that despite what police officers thought few suspects confess due to skilled interviewing (Moston et al., 1992, p. 38). When describing the interviewing from this data set Williamson (1992) said that:

Questioning practice could be characterised as bland information gathering...questioning skill was quite low with officers capitulating at the slightest obstacle... Many interviews seemed chaotic and unstructured...Many of the officers seemed more nervous than the suspect (p. 297).

It appeared that in this study suspects rarely deviated from their original position during the course of the interview. This may have been, in part, because of the restrictions placed on police interviewers by PACE, and a wariness on the part of police to use persuasive techniques. Whatever the reason, it appears that police interviewers were not as skilled as they should have been.

Having said this, Baldwin (1993), in an examination of 400 video and 200 audio recorded interviews with suspects, believed that 63% of the interviews were

conducted competently. Though, even in this sample only 27 interviewees changed their original starting position of denial and admitted an offence during the interview. He found that most interviews were simple matters with reasonably compliant interviewees. Despite the fact that over 60% of the interviewers professed to have received some form of interview training, Baldwin felt that interviewing suspects was a "hit and miss affair" (p. 14). In particular, he highlighted four main problem areas of (i) ineptitude, (ii) assuming guilt (iii) poor interviewing technique, and (iv) unfair, questionable or unprofessional conduct.

One reason for this state of affairs could have been the inconsistency of training received by officers at that time. Baldwin (1993) suggested that police training was too sophisticated with an over reliance on body language and psychological techniques, which are complicated to learn in themselves let alone learning how to apply them during a short course. A situation that was further exacerbated by police forces seemingly trying to outdo each other in the production of increasingly sophisticated psychological courses. He suggested (p. 12-13) that good interviewing practice should include: preparation, explanation of procedures, maintaining an even handed approach, listening and responding, flexibility, and retaining control of the interview.

Finally, in his report to the Home Office, Baldwin (1992) concluded that for the situation to change there must be a general recognition that a problem exists. That there was a pressing need for basic interviewing skills training to be provided to officers, and that this should include rigorous testing of those who complete the course. To support this training he advocated the distribution of a simple handbook to all officers engaged on the interviewing of suspects. Finally, Baldwin significantly proposed continued supervision of interviewers, locally, as a cost effective way of raising interviewing standards.

By the early 1990s some police forces were also becoming concerned about the content of interviewing training to the extent that in 1991 Bedfordshire suspended its interview training program (Paisley, 1998). Fortunately, police managers were beginning to take notice of the wealth of research being accrued concerning police interviewing. In 1991 another Royal Commission was underway, this time on Criminal Justice. The police service decided to retain control of interview training for police officers and in the same year ACPO set up a working party to examine the problem of interviewing. By the end of the year this had emerged as two distinct entities, (i) a

project team to research and develop interview training, which was to be supported by (ii) a joint Home Office and ACPO Steering Group. The latter was designed to manage the work of the project team and take account of strategic issues (Police Staff College, 1994b). In order to identify how to improve interviewing training the project team held a series of professional workshops with police officers, psychologists and lawyers, and from these a blueprint was produced for the future. At the same time the steering group was considering the environment in which the new training was to exist.

It was about this time, in England and Wales, that the idea of police officers interrogating suspects and taking statements from witnesses and victims, changed. A new ethos for interviewing was introduced called 'Investigative Interviewing'. In order to support the new term and to provide an environment for the new training, the steering group published 'The Principles of Investigative Interviewing' in March 1992 (Home Office, 1992a), which stated:

- a. The role of investigative interviewing is to obtain accurate and reliable information from suspects, witnesses or victims in order to discover the truth about matters under police investigation.
- b. Investigative interviewing should be approached with an open mind. Information obtained from the person who is being interviewed should always be tested against what the interviewing officers already knows or what can reasonably be established.
- c. When questioning anyone a police officer must act fairly in the circumstances of each individual case.
- d. The police interviewer is not bound to accept the first answer given. Questioning is not unfair merely because it is persistent.
- e. Even when the right of silence is exercised by a suspect, the police still have a right to put questions.
- f. When conducting an interview, police officers are free to ask questions in order to establish the truth; except for interviews with child victims of sexual or violent abuse which are to be used in criminal proceedings, they are not constrained by the rules applied to lawyers in court, and
- g. Vulnerable people, whether victims, witnesses, or suspects, must be treated with particular consideration at all times.

These principles provide a set of ground rules for police officers to follow. They encouraged police officers to search for information (Principle 'a') with an open mind

and testing any new information against what is already known (Principle 'b'), rather than pursuing preconceived ideas. At the same time the principles reiterate that police officers are free to ask questions (Principle 'f'), whether or not the interviewee exercises their right to silence (Principle 'e'), and that they do not have to accept the first answer given (Principle 'd'). Importantly, they also underline the need to consider the needs of vulnerable people (Principles 'f' and 'g'). Finally, the principles clearly state that they relate to all types of interviewee; victims, witnesses and suspects.

Meanwhile, the project team was developing the training, which was to change the mental processes from interrogation and statement taking to investigative interviewing. The training was developed to include the above principles together with basic communication and interviewing skills. This training became focussed around the mnemonic PEACE which became both the framework (or model) for conducting interviews and the course for training police interviewing. The PEACE model of interviewing is discussed next.

The peace model of interviewing

The PEACE model of interviewing is now described together with its accompanying guides. Starting with a description of research findings that were the foundation of PEACE interview training and an introduction to the PEACE model. This is followed by an outline of the original guides; A Guide to Interviewing and The Interviewers' Rule Book. A full description of PEACE follows together with a review of the relevant literature. The description concludes with a consideration of the validity of PEACE interviewing. Later development of PEACE is then examined, between 1994 and 2000. It is not taken further because later development has been influenced by research conducted as part of this thesis and is more appropriately placed in the discussion at the end of this thesis. Finally, the implications of PEACE are discussed together with the issue of witness statements. Although not strictly part of PEACE, witness statements are often the product of witness and victim interviews and have a bearing on research conducted for this thesis.

PEACE - Requirements

As discussed previously, the Home Office and ACPO put together a project team to develop a standard interview training package for the police service. Having conducted a series of professional workshops and having developed a blueprint for development, they then held a two week design forum to develop the PEACE model upon which the training was based (Police Staff College, 1994a). What they set out to do was develop "down-to-earth (even elementary) training which focuses primarily

on basic communicative and social skills, not advanced psychology” (Baldwin, 1992, p. 29) in order to provide what Baldwin called “honest competency” (Baldwin, 1992, p. 29). To achieve this the training had to address a range of issues that research had shown should be included in police interview training, and others that shouldn’t (Police Staff College, 1994b).

The main exclusion was any material relating to the identification of deception and recognition of guilt. This included identification of lie signs and buy signs which can often be misread and even when identified correctly can lead to inappropriate psychological coercion. Together with the process of exaggerating and/ or misrepresenting the evidence possessed by the police and minimising severity of the offence or the suspects’ responsibility for it. Gudjonsson (2003) and Vrij (2000) suggest that the use of these tactics stem from the idea that interrogation is the undoing of deception. Such techniques (particularly minimising) seek to reduce the consequences of a suspect’s actions but are actually ploys to reduce the perceived consequences of confessing. Moston et al.’s research (1992) found that such techniques were frequently found in the training manuals that they reviewed for the Home Office even though their use was contrary to PACE, 1984.

According to a Police Staff College briefing paper (Police Staff College, 1994b) the new interview training (now known as PEACE), was to eschew such psychological trickery and concentrate on three core areas of knowledge and skills based research; (i) good interviewing skills as proposed by Baldwin (1992), (ii) communication skills such as those proposed by Shepherd and Kite (1989), and (iii) a knowledge of how human memory affects interviewee recall (Fisher & Geiselman, 1992).

Good interviewing skills according to Baldwin (1992) started with preparation. Police interviewers should know the relevant law pertaining to the offences under investigation and study the evidence available to them. Having done this they should think how best to structure the interview. He went on to propose that at the start of the interview police interviewers should adequately explain the procedures that would be followed during the interview. They should recognise that suspects are probably unfamiliar with the routine and therefore must ensure that they give initial explanations (including the caution) with some care. Thus making certain, before questioning starts, that suspects have adequately understood their rights and what is going to happen. (Most police interview rooms in England and Wales have an aide

memoir card setting out the exact text of what needs to be explained before questioning.)

During the interview itself, Baldwin (1992) advised that interviewers maintain an even handed approach as little is to be gained by a belligerent or aggressive approach. He acknowledged the importance of testing a suspect's account using the evidence to hand but properly advised that this is always carried out fairly. Confrontation and unpleasantness are likely to be counter productive during an interview. An even handed approach is helped by the interviewer not entering the interview room with their mind made up, and single mindedly seeking to obtain a confession. It is important to listen to what the interviewee is saying and to respond appropriately. Some interviews will consist of no more than listening to a confession whilst others will require more detailed and rigorous questioning. Officers bent on securing a confession very often do not listen and fail to respond appropriately (Shepherd, 1991). Thus they are in a weak position to test alternative explanations of the event under investigation. Importantly there is little that an interviewer can, legitimately, do to induce a suspect to confess to a crime, if they do not wish to do so.

It is far more important for police interviewers to be flexible and adapt their interviewing styles and techniques to each individual interviewee and to the circumstances of the case. Interviewees must be allowed a fair opportunity to put their account, which can then be challenged in a restrained, patient and open minded manner. Whilst at the same time being as rigorous as appropriate, taking account of the age and social competence of the interviewee (Shepherd & Kite, 1988; Home Office 1992a; Shepherd, 1993). All of which should aid the police interviewer to retain control of the interview, even when someone is abusive and aggressive, resulting in a fair and balanced interview in all circumstances. Interviewers' frustration and irritation must be managed by maintaining a dignified composure and avoiding any temptation to engage in slanging matches.

Shepherd and Kite had also been advocating the need to teach police interviewers basic communication skills (Shepherd & Kite, 1988; 1989; Shepherd, 1988). Indeed they aptly named their 1989 paper "Teach em to talk" and suggested that training needed to enable police interviewers to increase self awareness of their impact on others, and vice versa, to help them develop different methods of handling relationships, experiment with these new methods, and decide which work.

In order to ensure that communication skills were properly addressed, information regarding four barriers to communication were included in the new PEACE training. The first related to environmental barriers such as distractions, disruptions, poor lighting and noise, which are self explanatory. The second was perceptual barriers including, selective attention (allowing ones' mind to wander), a persons' (interviewer and interviewee) frame of reference (values, prejudices, attitudes, education, knowledge beliefs and upbringing), their dislikes, appearance (both physical and clothing), and tiredness. Personal barriers were the third area and included quality of speech (speech impediment, speed and volume of speech), blindness and poor eyesight, hearing problems, and mental handicap. Finally, barriers to processing information such as an individual's skill and knowledge of language and their memory of the to be remembered event (see below).

Memory was the third core area of knowledge to be incorporated into the new training. During the early 1990s the work of Geiselman and Fisher (see Fisher & Geiselman, (1992), for an overview) were showing that some knowledge of memory processes could help police interviewers to enhance the recall of victims and witnesses. Some of this knowledge was incorporated into the new interviewing training. This included the fact that memory is not a total record of a person's experience but is dependent upon those aspects of the environment to which they are attending. Consequently, our recall of an event is not like a re-run video of the event but a reconstructed memory based to some extent on memory for the event with the gaps filled in by general knowledge. Research has shown that memory can be enhanced by recreating the context in which the original event was experienced (Godden & Baddeley, 1975). Whilst it is not always easy to return to the location and recreate a context, mentally reinstating a context has been found to work as well (Fisher & Geiselman, 1992). Recall can be further enhanced by asking interviewee's to tell everything that they can remember. This is because interviewees are not (usually) aware of what may or may not be relevant to an investigation, and reporting apparently trivial or insignificant information can stimulate memory to recall further pieces of information. Finally, people do not remember everything at once and will probably continue to recall information after the interview has ended. Therefore, interviewees need to be provided with a means of passing such information to the police.

In addition to developing the new training around the core knowledge outlined above, additional information (including the law relating to police interviewing) was included

to ensure that investigative interviews were clearly anchored within the investigation process. 14 different forces helped the project team to produce the new interviewing model and clarify the written material needed by students. This helped to ensure that the final product was acceptable to the police service across England and Wales.

The result of this process was the production of an interviewing model based on the mnemonic PEACE, which is displayed in Figure 1.

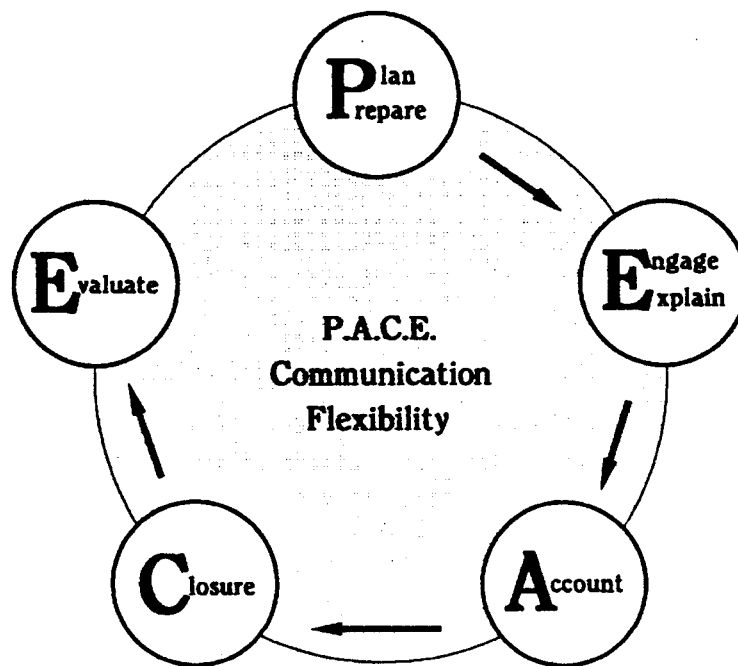


Figure 1 – PEACE Model 1992 (Police Staff College, 1994a)

“At the centre of the model is a commitment to PACE, communication skills and flexibility” (Police Staff College, 1994, p. 6). What can be seen from this mnemonic is that it includes a number of the points suggested by Baldwin as being good interviewing skills. In order to inform police officers about the new model, the project team wrote two guides which were distributed to every police officer in England and Wales during early 1992. These guides were: (i) “The Interviewer’s Rule Book” (CPTU, 1992b), and (ii) “A Guide to Interviewing” (CPTU, 1992a). The front covers of these books were printed in different coloured inks and became known by the colours as the Red (“Interviewer’s Rule Book”) and Blue (“A Guide to Interviewing”) books.

The “Interviewer’s Rule Book” seems to have been written to meet the need identified by Moston and Stephenson (1990) to set the interview within the investigation

process. The book provided a guide to investigation over seven chapters, which were:

1. Allegation/ report of Crime,
2. Investigation,
3. Arrest,
4. Arrival at station,
5. Pre-interview,
6. Interview, and
7. Post-interview.

These chapters firmly located the interview within the investigation process and emphasised the need to gather information before an arrest (CPTU, 1992b, p. 6) and before the traditional interview with a suspect. Where applicable, all the guidance was clearly linked to PACE, 1984, its Codes of Practice, together with the associated case law and judicial guidance. For example, details of the ruling from R-v-Turnbull [1976] that suggested that officers should consider when interviewing eye witnesses;

1. How long did the witness have the suspect in view?
2. What distance separated the witness and the suspect?
3. What was the visibility like?
4. Were there any obstructions to the view of the witness?
5. Had the witness ever seen the suspect before; if so when and where?
6. How long has elapsed since the witness last saw the suspect?
7. Did the witness have any special reason for remembering the suspect?

are included. These points are often referred to by the mnemonic used to learn them– ADVOKATE. Whereas, in relation to suspects sec 6.7 dealt with the issue of oppressive interviewing citing the findings of R-v-Timothy John West [1988] where it was decided that the following behaviours amounted to oppression (CPTU, 1992b, p. 30):

- a. “The police officer had interrupted the defendant on a large number of occasions before he had finished replies;
- b. The officer interrupted the defendant vigorously and with a raised voice, sometimes shouting rudely;
- c. The officer used obscenity to interrupt the defendant to indicate that he was lying. It was also used to show that the officer had a clear view that the defendant had committed the offences and would continue to question him until he admitted them.”

whilst in R-v- Miller, Paris and Abdullahi [1993] (The Cardiff Three) the court decided that interviews could still be oppressive “despite the fact that a solicitor was present

throughout the interviews” (CPTU, 1992b, p. 33). All of which set the legal foundations for the skills discussed in the second book.

The second book, “A Guide to Interviewing” (CPTU, 1992a), was divided into four chapters which dealt with:

1. The Interview,
2. Memory,
3. Human Communication within the interview, and
4. Questioning.

This guide clearly followed the issues/ topics identified by Baldwin (1992) and by the project team. Chapter 1 described the PEACE model in detail with the section on the ‘Account’ phase describing the Cognitive Approach and the Conversation Management approach; these were supported by linear diagrams of the two approaches. Chapter 2 provided an overview of memory processes to help officers understand the difficulties involved in recalling events. It followed the points raised above concerning memory not being like a video recording, rather it is selective and reconstructive, and that memory is organised and processed through stages such as short term, long term, and working memory. Finally, encoding, storage, and retrieval are briefly described before recall is considered. These difficulties have since been graphically demonstrated by Milne and Bull (1999, p. 27), where they provide a flow chart that illustrates what occurs from observing an event to providing a written account of an interviewee’s recollection of the event. The two pages in “A Guide to Interviewing” dealing with memory retrieval were divided using four of the Cognitive Interview mnemonics: (i) reinstating context, (ii) free recall, (iii) change of order, and (iv) change perspective, and described how these help improve the quantity and quality of recall. Following which, barriers to recall such as forgetting, blocks and interruptions were briefly considered.

Communication skills, which are at the heart of Conversation Management and the Enhanced Cognitive Interview were examined in Chapter 3 under the headings of:

- Verbal communication,
- Non verbal communication,
- Vocal non verbal communication,
- Non vocal non verbal communication,
- Information processing, and
- Active listening.

These topics provided an insight for officers into the multiple factors that affect communication within the interview process. In particular, the section on listening skills highlighted the need for interviewers to demonstrate that they are actually listening by feeding back what they have heard. Finally, Chapter 4 described how best to question people and the effects of different types of question on the answers that an interviewee might give. This included the use of echoing, encouragement cues and the effect of silence. All in all these two books were intended to provide a “simple handbook that could be distributed on a national basis to all officers engaged in the interviewing of suspects” as recommended by Baldwin (1992, p. 29), but actually went further by including advice on interviewing victims and witnesses of crime as well. Their issue to every police officer in England and Wales paved the way for PEACE to become the National framework for police interviewing.

PEACE – The Model

As described above, PEACE is a mnemonic for Planning and preparation, Engage and Explain, Account, Closure, and Evaluation. Each element of the model will now be examined in turn together with a review of the literature that supports it, where available. It should be noted at this stage that the initial description of PEACE will be based on the “Interviewer’s Rule Book” and “A Guide to Interviewing” in order to provide a chronological history of PEACE. “A Practical Guide to Investigative Interviewing” (NCF, 1996; 1998; 2000) will be discussed later in the chapter, as appropriate.

Planning and Preparation

It is an old military axiom that failure to plan equals planning to fail and the same holds true for conducting an interview. Breakwell (1990) suggested that in the workplace even informal interviews need to be planned by both the interviewer and interviewee. Whilst Rigg (1999) cites Millar, Crute, and Hargie (1992) who suggest that preparation is important to ensure the maximum amount of relevant, reliable, and valid information is obtained and that there is no place for unstructured, unplanned interviews by professional interviewers. Baldwin (1992) echoed these sentiments by arguing that good interviewing requires thorough preparation of the case, together with careful planning and preparation prior to starting the interview. What he actually found, prior to the introduction of PEACE, was insufficient planning and a failure to establish the points to prove an offence.

Shepherd and Milne (1999) identify a further issue when considering planning and preparation: case risks. Milne and Bull (1999) presented these in terms of schemata

or scripts that provide stereotypical knowledge that interviewers draw upon when evaluating evidence. Unfortunately, stereotypes can be flawed resulting in officers wittingly or unwittingly missing or ignoring information. Shepherd and Milne (1999) proposed three risks that can occur during planning and preparation. Firstly, premature closure, where interviewers selectively review the case information and draw early conclusions from it. Secondly, confirmation bias, which is a disposition to only seek out information that supports the offence schemata held by the interviewer whilst other information is dismissed or ignored. Thirdly, ironing out and selective synthesis, which is similar to the previous risk but includes “glossing over inconvenient contradictory detail, unwanted uncertainty, gaps, vagueness, ambiguity and anomaly” (p. 126). In support of these risks they cite Mortimer’s findings (1994) that officers ignored about half of relevant information presented to them. Consequently, good planning and preparation is at the core of the PEACE model.

The “Interviewer’s Rule Book” together with “A Guide to Interviewing” provided a comprehensive explanation of what officers should consider before conducting an interview. Starting with the most appropriate time (within an investigation) to interview victims, witnesses and suspects, this pre interview activity includes; analysing the evidence available, identifying possible offence(s) together with the relevant points to prove and defences, and understanding PACE and the Codes of Practice. Each of these elements will help the interviewer to identify the purpose of the interview and define relevant aims and objectives. The defining of aims and objectives became a sticking point for many officers who believed it was unnecessary to elaborate for many everyday offences (bulk crime) even though “A Guide to Interviewing” clearly explained that aims and objectives could be just a list of areas to be covered or specific issues where information is needed or needs confirming (CPTU, 1992a, p. 2). As Baldwin (1992) pointed out, the amount of planning is dependent upon the offence and complexity of the case in question. Explicitly identifying what needs to be examined during the interview will enable an interviewer to take a flexible approach, especially if the interviewee:

- Remains silent,
- Only answers selective questions,
- Totally denies the allegation,
- Tells lies,
- Tells the truth, or
- Will not stop talking.

Such flexibility allows the interviewer to continue encouraging an interviewee to explain their version of events and pose relevant questions based on evidence. In addition to preparation for the interview, guidance is also provided about general preparation such as:

- The location in which an interview takes place and reducing distractions,
- Collating necessary documents and exhibits,
- Timing both within the investigation and time of day,
- The number of interviewers,
- The need for an appropriate adult for young people and those with learning difficulties, and
- The need for a solicitor and/or interpreter.

Two of these issues have proved particularly problematic for the police service. It is often very difficult for officers to choose 'suitable' locations for interviewing people. The interviewing of suspects in Britain must be conducted at a police station in an interview room, except in specific circumstances. This constrains the conducting of such interviews to rooms which often have fixed furniture. Whereas in relation to interviewing victims and witnesses, most police stations have little or no space set aside for such interviews. Consequently, many of these interviews are conducted at the interviewee's home or place of work with all the attendant distractions. The second difficulty with the above guidance concerns the number of interviewers needed to interview "A Guide to Interviewing" stated that "ideally two officers should conduct a suspect interview" (CPTU, 1992a, p. 6). However, many police forces found it difficult to find sufficient staff to comply with this recommendation.

Whilst planning and preparation for an interview makes common sense, there has actually been very little research conducted concerning the impact that it has on the interview itself. Köhnken (1995) suggested that preparation should help reduce the interviewers' cognitive load and enable them to concentrate more on processing information during the interview. Another reason for planning and preparation is to aid in any subsequent evaluation of an interview, and this is taken up later. Unfortunately, there has been no research regarding the impact of planning on the quality and quantity of information gained during the interview. A frequently cited study on the perceived importance of planning and preparation is a survey of 80 specialist investigative interviewers by Cherryman and Bull (2001), but this relates to specialist interviewers who by their very title may be more skilled and are often required to use other interviewing protocols (e.g. 'The Memorandum of Good Practice for Interviewing Children') rather than PEACE. Nevertheless, these officers

did rate preparation as the second most important interviewing skill although, conversely it was also the skill that the respondents felt was most frequently missing from interviews. Despite this Bull and Cherryman did find evidence of planning and preparation in the interviews that they evaluated as part of the same study.

In a later survey (Soukara, Bull, & Vrij, 2002) of British police detectives' views, preparation was again found to be very important for the interviewing of suspects. The majority of officers interviewed (95%) believed planning increases the quality of an interview and may determine whether or not a reluctant interviewee will talk to the police. In addition, this group of detectives believed that knowledge of the interview was the "beginning and end of the interview" (p. 110) because planning and preparation increases the interviewers' confidence and enables them to challenge inconsistencies in the interviewee's account of events. Nevertheless, despite the reported importance of planning and preparation, officers' emphasis on this pre interview activity has only been found since the introduction of PEACE. Therefore, it could be seen as socially desirable responding. Other studies have found police officers reporting that planning and preparation is missing from many interviews, which could be a result of a belief by officers that they often don't have time for planning an interview (Bull & Cherryman, 1995; Kebbell, Milne, & Wagstaff, 1999), although whether this is an actual or perceived constraint is unclear. What is missing is a study that actually examines the frequency with which planning and preparation actually takes place before an interview, together with the impact that this has on the interview process. All in all, planning and preparation is an area of interviewing that would benefit from further research.

Engage and Explain

This is where the interview proper starts and can be viewed as the greeting and rapport building phase of the interview. De Vito (2002) suggests that the opening of a conversation provides information on how accessible you are, by your tone, facial expression etc. It is during this time that the interviewer should tailor their behaviour to help the interviewee feel like they are being treated as an individual. To some extent the format of this phase of the interview depends on which method of obtaining an account is to be used. PEACE provided details of the Cognitive and Conversation Management approaches which entail the provision of different information during this phase of the interview. The relevant information will be highlighted when each approach is discussed later. Shepherd (1988) described this part of the interview as the Greeting and Explanation phases. Starting or engaging in conversation with someone usually involves introductions and some detail regarding

the purpose of the following interaction and in this respect the investigative interview, whilst more formal, should be no different. "A Guide to Interviewing" discussed the need for courtesy and establishing how the interviewee wishes to be addressed at this point in the interview. Indeed, introductions are a requirement for interviews with suspects and, to ensure that these are correctly given, they are usually read from an aide memoire card.

Following such introductions, an interviewer should then go on to explain the reason for and format of the interview. When interviewing suspects there is a legal requirement to inform them at this time of why they have been arrested. More importantly, this is where the interviewer explains how the interview will proceed, no matter what category of interviewee is involved. Such information depends to a great extent on the approach being used. De Vito calls this feeding forward and states that this is part of normal conversational practice. It is how you inform the other person of what you are going to discuss. For example, when meeting a friend in the street, you might say:

"Hi Jane, how are things?"

"Fine thanks and you?"

"Great, did you see Coronation Street last night?"

Immediately, you can identify De Vito's opening and feed forward behaviours. In an investigative interview this is where the interviewer introduces the areas and topics that they wish to discuss. What the interviewer is doing is setting the scene for the coming interview.

Another way of looking at this phase of the interview is as rapport building. Rapport can be defined as establishing a "relation of mutual understanding or trust and agreement between people" (Online dictionary, 2005). Bull and Cherryman (1995) reported that it is rare to find rapport building at the beginning of an interview. Milne and Bull (1999) suggest that interviewers are finding it more difficult to build rapport because legal advisors resist what they see as irrelevant questioning. Although this would only refer to interviews with suspects. Elsewhere Milne and Bull suggest that rapport building requires the interviewer to engage meaningfully with an interviewee and not asking a series of short, standard questions that could depersonalise the interview. By personalising the 'Engage and Explain' phase the interviewer should be able to establish what can be termed a professional relationship with the interviewee. Indeed Fisher and Geiselman (1992, p. 21-23) and Clifford and Memon (1999) both describe that explaining what is required of the interviewee and the processes that

will be used during the interview, are part of the rapport building phase of the cognitive interview. The idea, held by some people, that rapport building is talking about family, sport and hobbies is not the only way to build a professional relationship. Providing introductions, politeness and explaining the process is another method of developing rapport and fulfils the above definition – it should also overcome the objections of legal advisors that initial discussions about an interviewees family, hobbies etc. are not relevant.

Account

The account phase is where the interviewee provides their version of events with the help of the interviewer. It is probably the part of the interview where police interviews had previously been found to be “aimless and unfocused discussions, without structure and purpose” (Baldwin, 1992 p. 16). As has been already stated, PEACE allowed for two methods of obtaining an account, The Cognitive Approach (CA), and Management of Conversation (CM). Originally PEACE was built around CM (this was revealed in the author’s conversations with the original project team) which had been developed by Shepherd and Merseyside Constabulary, and was being offered to police forces across Britain. Indeed, the inclusion of CA did not take place until late in the development process after strong lobbying from some members of the project team. The Cognitive Interview was not, as one writer (O'Mahoney, 2000) proposed, the core of PEACE. In fact “A Guide to Interviewing” uses the term Cognitive Approach (CA) rather than Cognitive Interview (CI). This appears to be a conscious decision by the project team not to label this option as CI (the issue of labelling is taken up again in later). The choice of which approach to adopt is left up to the interviewer who is provided with the following guidance:

- “You will need to decide which you will use before you ‘engage’ the interviewee ... because you will need to prepare the interviewee in the appropriate way at the engage stage.
- The Cognitive Approach provides an opportunity to obtain the interviewee’s account with minimal interference.
- The Management of Conversation puts the interviewer into the position of control” (CPTU, 1992a, p. 19).

Each approach will now be examined in detail. In view of the fact that the approaches used in PEACE are an interpretation of the original models by Fisher and Geiselman, and Shepherd, the original models will be discussed before each of the approaches used in PEACE.

The Cognitive Interview

The Cognitive Interview (CI) was developed by Geiselman, et al. (1984b) to enhance the ability of eyewitnesses to recall information. They developed four retrieval mnemonics from two well known cognitive theories; (i) Tulving's (1973) encoding specificity principle, which posits that a to be remembered (TBR) event is encoded in relation to the context that it was experienced and that retrieval of the TBR event will be more complete the closer that the retrieval cue matches the encoding context, and (ii) the multicomponent view of a memory trace (1967), which posits that memory for a TBR event is made up of a complicated set of features and not a single whole memory like a photograph. The four mnemonics were (i) reinstatement of context, (ii) report everything, (iii) change perspective, and (iv) recall in a variety of different orders.

Reinstatement of context is based on the encoding specificity principle, and has been demonstrated in a study by Godden and Baddeley (1975). They had divers learn words either on land or under water and found that they recalled more words when the recall task was completed in the same environment (either on land or under water) as the original encoding. (Clearly it is not always practical to recreate the actual encoding context but mentally reinstating the original context also works (Fisher & Geiselman, 1992)). Encouraging interviewees to report everything overcomes some of the problems of memories being multi-component. Geiselman et al. (1984) suggested that reporting even partial details could lead to the retrieval of more useful information or, as Milne and Bull (1999) later suggest, enable an investigator to piece together information from various sources. Recalling information from a variety of perspectives is also derived from the idea of multicomponent memory traces. Anderson and Pichert (1978) conducted a study where participants read a story about two boys from the perspective of a house buyer or burglar. Later when asked to recall the event some participants were asked to change their schema from house buyer to burglar and vice versa. Those participants who changed schema retrieved more information, from which the authors concluded that schemas have an effect on encoding and retrieval of memories. Therefore, encouraging interviewees to recall from another perspective may increase their memory of the TBR event. However, Fisher and Geiselman (1992) caution that witnesses must be advised that they should only provide information that they know and not guess or fabricate details. The final mnemonic, to recall information in a variety of temporal orders, can be an instruction for an interviewee to recall from the end of the event back to the beginning (Reverse Order), or to start at a particular point such as when they first

noticed the suspect. This helps the interviewee to break out of the script that they have for an event and forces them to use actual memories for the event.

In their first study Geiselman et al. (1984) found that those participants who used the CI provided a significant increase in the amount of correct information that they recalled, without a significant increase in incorrect information. However, Fisher and Geiselman (1992) recognised that the CI did not have sufficient structure for practical use, and that police officers' questioning skills were often inadequate for the task of interviewing. Consequently they developed an Enhanced Cognitive Interview (ECI) using further psychological knowledge from the fields of memory research and communication skills, which they presented in the form of an interviewing handbook (Fisher & Geiselman, 1992).

The ECI includes communication skills that were not present in the CI. In order to overcome practical problems faced by police Fisher and Geiselman acknowledged the importance of rapport development at the start of an interview. This process involves personalizing the interview process to demonstrate that the interviewee is seen as an individual. Milne and Bull (1999) cite Rogers' (1942) view that the principle of rapport is to demonstrate empathy. To help develop and maintain rapport, interviewers are advised to develop active listening skills. This is because research has shown that we do not want people to just listen rather we want them to demonstrate that they are doing so (Hargie & Dickson, 2004). Such demonstrations include both verbal and non verbal behaviours, and it is these behaviours that provide reinforcement for the interviewee to continue. Verbal re-enforcers include the use of the interviewee's own words either as 'verbal following' (Hargie & Dickson, 2004) to reinforce that the listener has understood what has been said, or later to introduce a new topic. An interviewee's own words can also be used as part of follow up questions. As rapport is being developed the interviewer should also explain the process of the interview and what is required of the interviewee, including the need for them not to edit their recall. In interpersonal communication Hargie and Dickson (2004) call this 'set induction' where individuals gain attention, motivate, and provide guidelines for the coming interaction. Whereas (DeVito, 2002) uses the term 'feed forward'. Whatever term is used, the process sets the scene and establishes a framework for the coming interaction.

The use of questions is an important element of communication to which we pay little attention (Hargie & Dickson, 2004). However, the use of questions in a professional

context is different (Hargie & Dickson, 2004). The phrasing of a question can have a great impact on the quality and quantity of information that is provided by an interviewee (Milne & Bull, 1999). In describing the ECI Fisher and Geiselman (1992) advocate the use of open questions to gather information because they are not suggestive and “elicit more elaborate and more accurate responses” (Milne & Bull, 1999, p. 23). They go on to advise that interviewers review information from time to time as this enables them to check their notes and may prompt extra detail from an interviewee. Of course it also helps to maintain rapport (when the interviewers’ review is accurate!). Having obtained an interviewee’s account, the police usually wish to obtain further detail. Fisher and Geiselman (1992) suggest developing a probing strategy for obtaining further detail. To develop such a strategy interviewers should ask themselves three questions; “(i) Which images should be invoked?, (ii) Which details should be extracted from each image?, and (iii) In what order should the images be probed?” (Fisher & Geiselman, 1992, p. 128). These questions are important because obtaining such detail is tiring and choosing the right images in the right order helps ensure the continuation of an interview that is witness-compatible.

Closure is an integral part of human communication that is learnt at an early age, “abrupt closure usually indicates personal or relational dysfunction” (Hargie & Dickson, 2004, p. 279). Fisher and Geiselman (1992) also point out the importance of this phase of an interview. Indeed, Hargie and Dickson (2004) suggest that closure offers both parties the opportunity to ensure that they are in agreement with what has been discussed, that both parties are in agreement about what has taken place, and the provision of continuity links to the next encounter (or what will happen next). These are similar to the specific goals for closure suggested by Fisher and Geiselman (Fisher & Geiselman, 1992, p. 156): “(a) collecting background information, (b) extending the functional life of the interview, and (c) creating a positive, lasting impression”.

Retrieving information from memory is a demanding task and because of this interviewees may not concentrate on the task (Fisher & Geiselman, 1992), added to which any interference is likely to interrupt an interviewees’ concentration and their ability to recall an event. Therefore interviewers need to encourage an interviewee to concentrate hard and too ensure that there are no interruptions to break an interviewee’s concentration. As retrieval is such hard work, questions should be asked in a manner that is compatible with their memory. Interviewers should ensure that their questions are compatible with an interviewee’s memory organisation of the

event in question. For example, when an interviewee is describing a person it would not be compatible to ask questions about their car. Fisher and Geiselman make the distinction between memory representations being in either a concept or an image code. They argue that memories in image code contain more precise information and that where possible interviewees should be asked to concentrate on an image. Whereas, concept codes involve stored definitions or concepts which may be incomplete or imprecise (Fisher & Geiselman, 1992, p. 93). However, they also acknowledge that memories often contain both image and concept data and suggest that both should be probed. Indeed, they continue to emphasise the importance of multiple retrieval attempts in order to obtain the most complete recall. The more retrieval attempts that a witness makes the more complete that their recall will be (Yuille, Davies, Gibling, Marxen, & Porter, 1994). However, multiple retrieval attempts alone are not sufficient to increase recall (Campos & Alonso-Quecuty, 1999). Therefore, multiple yet varied retrieval attempts should be made using different perspectives and senses. However, as Milne and Bull (1999) point out, varied retrieval should be conducted in a manner that does not suggest disbelief of the information previously provided by the interviewee.

A nice clear representation of the ECI structure is provided by Milne and Bull (1999) and has been reproduced below as Figure 2.

Phase 1	Greet and personalise the interview Establish rapport
Phase 2	Explain the aims of the interview Focussed retrieval Report everything Transfer control No fabrication or guessing Concentrate hard
Phase 3	Initiate free rapport Context reinstatement Open-ended question Pauses Non-verbal behaviour
Phase 4	Questioning Report everything Interviewee-compatible questioning No fabrication or guessing OK to say "Don't know" OK to say "Don't understand" Activate and probe and image Open and closed questions
Phase 5	Varied and extensive retrieval Change the temporal order Change perspectives Focus on all senses
Phase 6	Summary
Phase 7	Closure

Figure 2 Structure of the Enhanced Cognitive Interview (Milne & Bull, 1999, p. 40)

Following the introduction of the CI and ECI, many studies have been conducted to examine their effectiveness in the laboratory and in the field, most of which have demonstrated that they aid witness recall. For a comprehensive overview of the CI and ECI see Koehnken, Milne, Memon, and Bull (1999), who conducted a meta analysis. Published research in the six years since the meta analysis have found no differences in the usefulness of the CI or ECI.

The Cognitive Approach in PEACE

As has already been mentioned, "A Guide to Interviewing" (CPTU, 1992a) had a form of the CI which was labelled the Cognitive Approach (CA) which incorporated a number of elements from the CI and ECI including; explaining what is required of the interviewee (ECI), the need to concentrate and work hard (ECI), reinstatement of context (CI), handing over control of the flow of information (ECI), multiple retrieval attempts (CI), change of temporal order (CI), change of perspective (CI), and probing (ECI). (The explanation of these elements was found in the guide (CPTU, 1992a) under the account phase and the chapter on memory.) An overview was provided in the form of a flow chart which is reproduced as Figure 3 below.

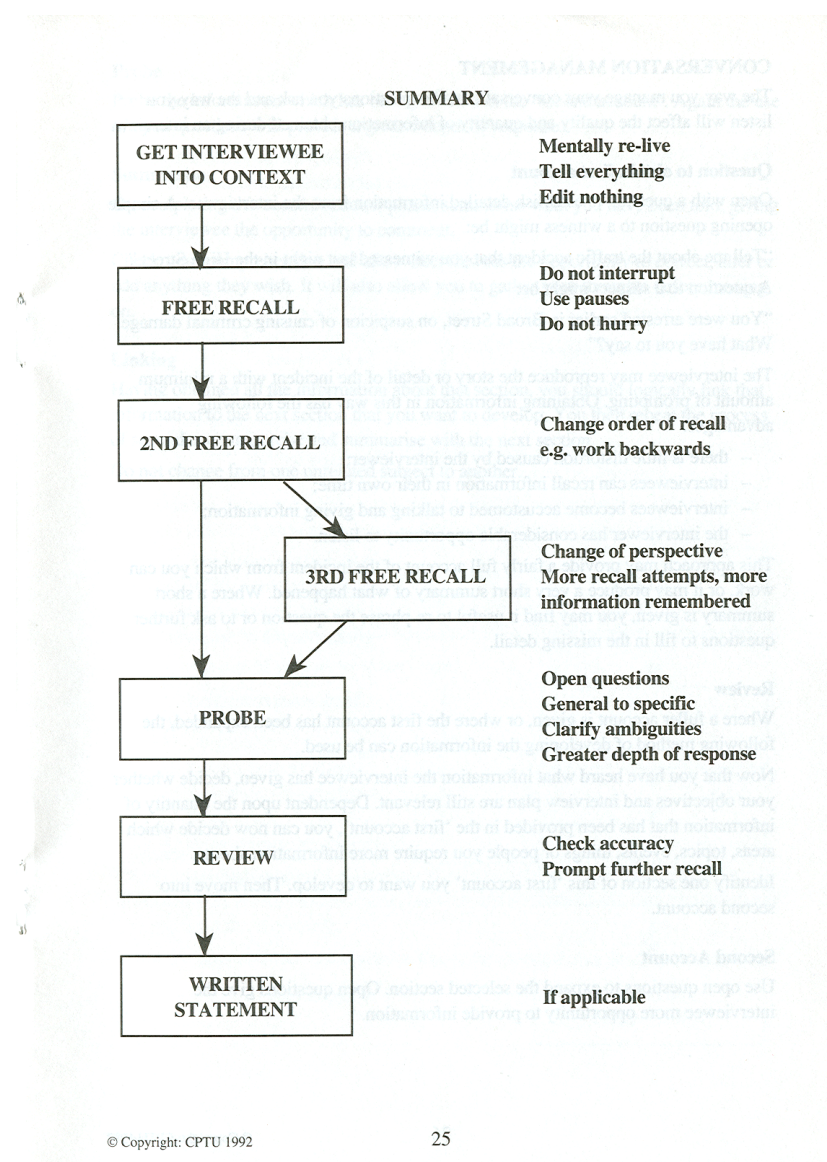


Figure 3 Cognitive Approach 1992 (CPTU, 1992a, p. 25)

This chart provides a useful overview of the CA but at the same time presents an extremely mechanistic view of the cognitive interview technique. Clifford and Memon (1999, p. 149) suggested that it “was overly formalistic The CI was never intended to be applied like a recipe, with particular mnemonics applied to particular phases of the interview. The guidelines ... can thus be seen to be too rigid”. In addition, the opening phase is described as helping the interviewee ‘re-live’ the event, something that is repeated as part of the description of the model and in the chapter on memory (CPTU, 1992a, p. 19 & 45 respectively). This is incorrect because, as was discussed above memory for an event is made up of multiple components, not a unitary whole, therefore a witness can not relive an event in a manner similar to watching a video. It is not known whether this phrase was included to simplify the explanation of what is required. However, it does provide a conflicting view of memory with that presented in chapter two of the guide.

When using the CA, the guide instructed interviewers to explain what is needed, put the interviewee at ease, and encourage them to concentrate, work hard, and report everything, no matter how trivial. The importance of free recall, not interrupting, using pauses, and note taking is also explained. Finally, for what is termed the ‘First Free Recall’, advice is given on how to assist the interviewee to use two retrieval mnemonics from the CI; Report Everything and Context Reinstatement (described above). The interpretation of the CI at this point is generally accurate although guidance for reinstating context is sparse and one of the statements (“How do they picture their surroundings?” (CPTU, 1992a, p. 21)) is more appropriate in relation to imaging.

“A Guide to Interviewing” went on to describe a second and third free recall where the remaining two retrieval mnemonics from the original CI were to be used. In the “Second Free Recall” officers were advised to encourage the interviewee to change the order of their recall and to vary the retrieval paths to break out of the script based retrieval of information (as described above). This could be achieved by starting at the end of their account and working backwards or starting at a specific point (e.g. when a person first comes into sight). The “Third Free Recall” is another varied retrieval attempt, this time from a different perspective. There has been some concern expressed over this technique in Britain. George (1991) questioned the transference of Anderson and Pichert’s (1978) research to an interview situation but gave no substantial reason for this view. Police officers (in Britain) believe that changing perspective to the view of another person may cause problems under the

law because the resulting information may be viewed as guessing or fabrication. However, this view seems to ignore Fisher and Gieselman's (1992) proposal that interviewee's are warned against such a practice. In reality the concerns of police officers have not been tested in law. Milne and Bull (1999) currently suggest that 'change perspective' in its original form be left in the CI and Bull (personal communication) in his explanation of this mnemonic to the police suggests saying to a witness, "What did that other witness, whom you have mentioned to me, see that you also saw, that you have not yet told me?". "A Guide to Interviewing" suggested that different perspectives means different physical and sensory modes (e.g. smell, hearing) rather than another person (although this reveals a misunderstanding of the psychological theory underlying the change perspective mnemonic). Finally, after the three recall attempts officers were advised to probe for specific information using open questions. Advice was then provided on the use of different question types and the problems with using negative phrasing. What was not explained was the need to develop a probing strategy and the reasoning behind this (as described above). Once the interviewee has exhausted their memory of the event interviewers were advised to review the information obtained before writing a statement (as can be seen in Figure 3).

The strict structure seems, from conversations with the project team, to be an attempt at making training the CI easier by providing a clear structure for officers to work from. This is similar to the aims of Fisher and Geiselman when they developed the ECI (see Figure 2) after finding that the applied use of the CI could be problematic due to a lack of structure and police officers' haphazard questioning technique. However, the project team might have gone too far in their bid to overcome the lack of structure; thus making the CA too structured. As has been discussed above, there are a number of immediate problems with the interpretation of the CI and ECI in "A Guide To Interviewing". However, a more worrying and potential problem is that George (1991) found police officers had difficulty using the CI mnemonics; report everything, change perspective, and reverse order recall, although they did use reinstatement of context. This means that officers using the CA could just use reinstatement of context and keep to the structure (Figure 2) expecting to enhance witness recall. However, research (Campos & Alonso-Quecuty, 1999) has shown that repeated recall attempts do not enhance memory on their own. In reality, the impact of the poor interpretation of CI (CA) on interviewing victims and witnesses is not known because such interviews are rarely recorded.

Conversation Management

Shepherd developed Conversation Management (CM) during the 1980s and reportedly first used the term in 1983 (Milne & Bull, 1999). Before describing CM it must be acknowledged that Shepherd firmly supports, indeed requires, proper planning and preparation before an interview, and suitable evaluation afterwards. These matters are not discussed as part of the following description because the focus is on using CM to obtain an interviewee's account. As discussed above (in the section on a history of police interviewing), Shepherd and Kite (1988) identified two broad philosophies of interviewing in Britain; (i) the 'strategies' philosophy and (ii) the 'conversation management' philosophy. The strategy philosophy, was criticised because it is difficult to identify (accurately) which strategy (e.g. hard/ soft) to use in a particular interview and because training based on strategies focuses on interviewing suspects; usually those who are resistant (Shepherd & Kite, 1988). Shepherd and Kite proposed the use of conversation management based on the argument that "interviewing is not just a conversation *per se*: it is a conversation which, has to be consciously managed" (p. 266). In order to achieve this management, they proposed an interview format based on a flexible script using the mnemonic GEMAC, which represents; greeting, explanation, mutual behaviour, and closure.

As mentioned above, greeting behaviour is a fundamental aspect of human communication, which in an interview enables the start of rapport building and an interviewer to start setting out their relationship with the interviewee. Indeed, many social groups have highly structured rituals as part of their greeting behaviour (Hargie & Dickson, 2004), such as the elaborate handshakes utilized by gang members, or the cheek kissing practised in many countries. Greeting behaviours are closely linked to the second activity of 'explanation'. This is where an explanation of the interview process or 'route map' (Shepherd & Kite, 1988) is given and the aims and objectives of the session set. In this manner police interviewers can take control of the interview process. As noted above, DeVito (2002) labels the explanation phase as feedforward, that is setting out what the coming interaction is about, whereas Hargie and Dickson (2004) join them together as 'set induction' the functions of which are:"

- 1 To induce in participants a state of readiness appropriate to the task to follow, through establishing rapport, arousing motivation and gaining attention.
- 2 To establish links with previous encounters (during follow-up sessions).
- 3 To ascertain the expectations of participants.
- 4 To discover the extent of the participants' knowledge of the topic to be discussed.

- 5 To indicate to, and agree with, participants what might be reasonable objectives for the encounter.
- 6 To explain what one's functions are, and what limitations may accompany these functions" (p. 262).

Mutual activity is where the interviewer elicits and probes the information or account provided by the interviewee. This is achieved using the 'interviewing spiral' of open, probe, summarise, and link (Shepherd & Kite, 1988). During this process interviewers are advised to make appropriate use of pauses so that they can attend to both the incoming information and the interviewee's behaviour. Shepherd (1993) proposed that to manage conversation interviewers needed to balance assertion and listening. He went on to provide a detailed discussion of inappropriate assertions, such as inappropriate talk and disruptive talk, plus inappropriate content of assertions such as insufficient knowledge and ignorance of facts. Unfortunately, he does not provide a definition of appropriate assertion. In their explanation of CM Milne and Bull (1999, p. 70) try to provide an explanation of assertion as any interviewer utterance and the way it is put but their explanation is unclear and seems to be incomplete. Assertion in relation to communication appears to come from the concept of assertiveness for which there is a large literature. Hargie and Dickson (2004, p. 292) cite Lange and Jakubowski's (1976) view that assertion relates to expressing thoughts, feelings and beliefs in direct honest and appropriate ways. This involves such behaviours as; focussing on the main issue, the use of a firm tone of voice, openly and confidently expressing opinions, being prepared to listen to others' points of view, without hurting self or another, and without aggression (Hargie & Dickson, 2004). All of which seems to provide an opposing position to Shepherd's inappropriate assertions.

A balance of assertion, listening and appropriate use of pauses will also allow the interviewer to manage resistance. Shepherd (1993) suggested that police interviewers had a unidimensional view of resistance, which posits that the interviewee is somewhere on the dimension between willing and unwilling to talk. This view ignores the fact that an interviewee's unwillingness might be born out of inability (e.g. amnesia) or ability to talk, whilst most will be somewhere along that continuum. For a graphical presentation of the idea see Figure 4.

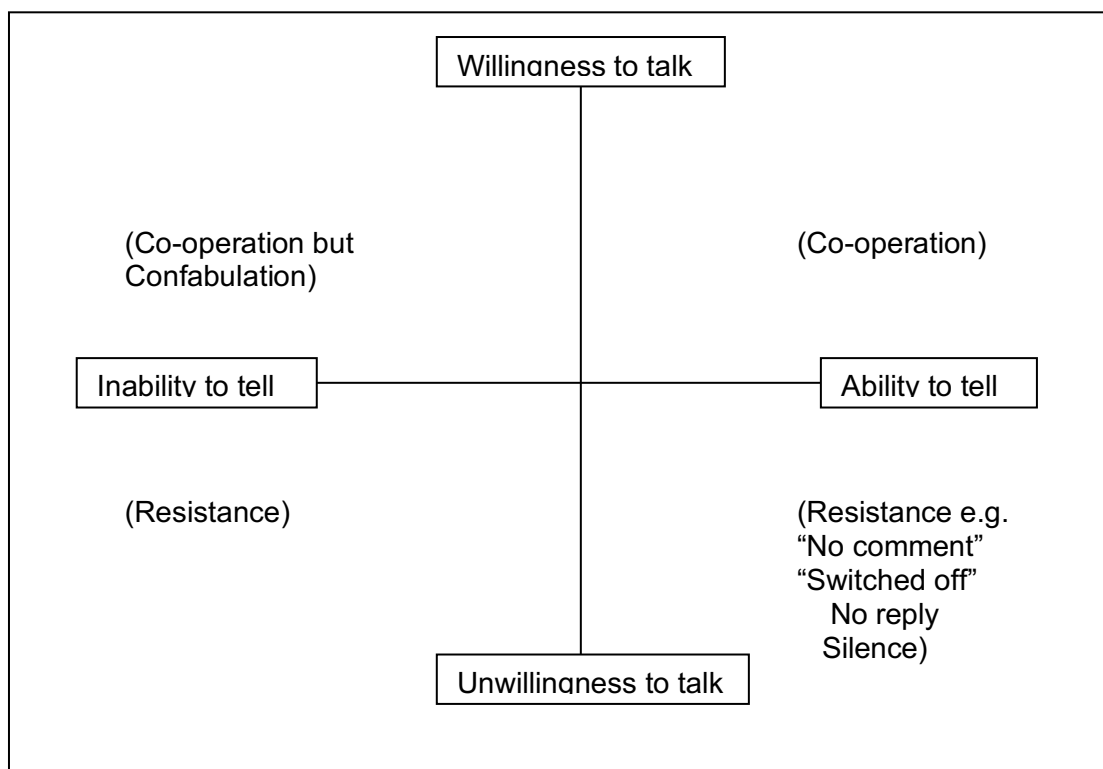


Figure 4 Two dimensions of interviewee resistance (Shepherd, 1993, p. 7)

According to Shepherd (1993) interviewers using conversation management are more likely to encourage resistant interviewees to talk than those who interview without a structure.

The last element of GEMAC is closure. This is a crucial element of communication and is discussed in more detail below. Shepherd and Kite (1988) talk about skilful closure bringing a successful end to the current encounter and helping to generate positive perceptions of the police. Milne and Bull (1999) propose that an interview must be closed properly with the interviewee leaving in a good frame of mind.

In addition to the GEMAC schema for good conversation management, Shepherd (1986) proposed that interviewers need to learn six micro and four macro skills. The six micro-skills being:

- (i) "Observation and memory (both visual and auditory),
- (ii) Listening and assertion – two sides of the same coin where listening results makes assertion possible and acceptable,
- (iii) Initiating and regulating through the processes of control and social reinforcement (reward),

- (iv) Appropriate questioning enabling elicitation and examination of initial and subsequent accounts,
- (v) Active listening synthesising listening to surface information affective information and inferential processing,
- (vi) Confronting feelings, reflecting back and summarising” (Shepherd, 1986, p. 300).

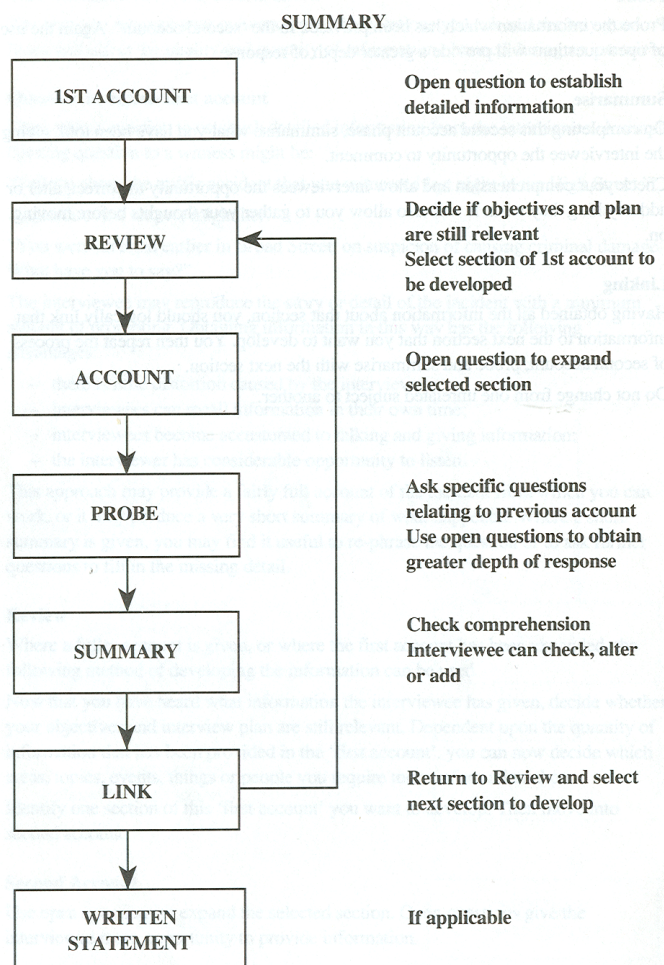
Shepherd (1986) suggested that having mastered these micro-skills interviewers can progress on to the four macro-skills, which were:

- (i) “The ability to detect changes in verbal and non-verbal behaviour across time enabling the identification of truth, evasion and deception,
- (ii) The detection of changes in emotional state, motivation, attitude and disposition,
- (iii) The ability to build a global grasp – a macro structure (van Dijk, 1979) of the interviewee’s assertions across the entire conversation,
- (iv) The ability to identify key loci and patterns of vagueness, ambiguity and contradiction on the basis of inter-account comparison and consistency analysis” (Shepherd, 1986, p. 300-1).

It should be noted that Milne and Bull (1999, p. 64) caution about the first macro-skill as it is contrary to current research concerning the detection of deception (Vrij, 2000). Nevertheless, CM had become a popular method of interviewing for police forces across Britain by the late 1980s, despite the fact that there was no empirical research demonstrating that it improved the quality and quantity of information obtained during an interview or helped interviewers manage resistant interviewees in a professional manner. Indeed, the only study of its effectiveness (with victims and witnesses) (George, 1991) had found that officers trained to use CM obtained less information than those trained to use CI.

Conversation Management in PEACE

The presentation of CM in “A Guide to Interviewing” (CPTU, 1992a) starts with the advice that managing conversation is dependent upon the way that questions are asked and their responses listened to. As with CA (discussed above), the CM approach is then described in terms of its structure rather than the underlying skills that are its foundation. A graphical representation of the structure was also presented (see Figure 5 below), which clearly follows the ‘interviewing spiral’ proposed by Shepherd and Kite (1988). Apart from some further stress being put on the use of open questions, the reader is left (at that point) with the impression that CM is the structure rather than the underlying skills discussed above.



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Figure 5 Conversation Management 1992 (CPTU, 1992a, p. 28)

The management of conversation actually utilises a range of social communication skills within the 'interviewing spiral' that Shepherd (1986) presented as six micro and four macro skills. Some of these skills (e.g. appropriate questioning, active listening, and summarising), were dealt with in 'A Guide to Interviewing', as general communication skills not linked specifically with CA or CM. By placing these skills in various locations within 'A Guide to Interviewing' its authors provided a nicely structured guide but once again fragmented the approach to interviewing, in this case CM. Indeed, in the account phase of PEACE, 'A Guide to Interviewing' presented two methods of obtaining an account in a simplified manner, relying on the knowledge and skill of the trainer to include the necessary knowledge regarding memory and

underlying communication skills in the classroom. Whether this affected the impact of PEACE when applied in the workplace, is discussed later.

Closure

The final stage of the interview itself is the end, where it is suggested that a structured 'Closure' should take place. Starting with a warning that an unprepared or ad lib end to the interview might result in both parties leaving the encounter unsatisfied with its outcome. Informal meetings/ encounters are used as a means to identify six areas that should be considered as part of the closure:

- (i) Future attitude may be related to the success of the closure of the current meeting;
- (ii) Knowledge of the interviewee's situation will enable you to identify the point that should be covered;
- (iii) All questions should be answered and advice given where necessary;
- (iv) Reinforce what you say with you non-verbal behaviour;
- (v) Have a planned closure – not an impromptu one;
- (vi) Follow a pattern you find comfortable. Make it appropriate to the interviewee (CPTU, 1992a, p. 31-2).

The importance of item one for future interactions is highlighted in "A Guide to Interviewing". Milne and Bull (1999) suggest that leaving the interviewee with a positive impression is important as it may influence police-community relations. Interviewers are further advised that they should summarise the interview as it helps ensure a mutual understanding of what has taken place (though not for the purpose of providing a record of the interview), check the interviewee's comprehension of what has occurred and their present/ future needs, and invite questions and/or feedback before concluding the interview (CPTU, 1992a). Specific advice is provided for closure with different types of interviewee: witnesses, victims and suspects, though interestingly no advice is given about briefing victims and witnesses on what to do if they should recall further information after the interview has finished. Bull and Milne (1999) suggest that this is the point in the interview to obtain an interviewee's demographic information, rather than at the start, which is something that many interviewers do.

It is not just the literature on interviewing that emphasises the importance of closure; DeVito's (2002) explanation of the process of conversation also stresses this element of everyday conversation. DeVito points out that closure takes place on a verbal and non-verbal level, and he suggests that verbal closings include expressions of

appreciation, concern for other's welfare, reinforcement, and leave taking phrases. All of which is very similar to advice within the PEACE model.

Evaluation

The final stage of the PEACE model is in fact a post interview activity: evaluation. Advice in "A Guide to Interviewing" suggests that there are three areas that should be evaluated: "(i) the information obtained during the interview, (ii) the whole investigation in the light of the information obtained during the interview, and (iii) your performance during the interview" (CPTU, 1992a, p. 35). In the first instance the interview should be evaluated in respect of the aims and objectives for the interview, and in respect of interviews with suspects whether they put forward any defence, alibi, or admissions. Next, in the same way that the interview should be planned in relation to the needs of the investigation, an evaluation should be conducted on how the completed interviews impact on the investigation. Suggested areas of investigation include:

- (i) "the offence;
- (ii) the identity of the offender(s);
- (iii) the defences to the allegation;
- (iv) supportive evidence; and
- (v) lawful police investigation" (CPTU, 1992a, p. 36).

After this part of the evaluation process it should be possible for the interviewer to decide what the next steps in the investigation might be.

The final element of evaluation relates to self evaluation, which it is suggested, can be achieved by self reflection, de-briefing with a partner, or supervisor. (Supervision is discussed below in the section on "From training to Workplace".) Self reflection is, in part, based on Schon's (1984) idea of a reflective practitioner. Schon argues that in order to develop their skills, reflective practitioners should reflect on their own practice identifying elements of good and bad practice which they would use in future to improve their future performance. Therefore, the reflective practitioner not only reflects on practice after an event but also uses that reflected knowledge to improve their performance in the workplace; in this case the interview room. Unfortunately, as Milne and Bull (2002) point out, few officers actually listen to the recordings of their own interviews on a routine basis.

Finally, when considering the issue of evaluation there is an implication, based on the literature (e.g. Moston et al., 1992; Baldwin, 1992; Williamson, 1994), that the evaluation of an interviewer's interviewing should be based on the interview

structure, questioning techniques and listening skills. However, Moston and Stephenson (1990) suggested that future assessment should also examine how the interview met its objectives and its relevance to the related investigation. Currently, the supervision of interviews focuses on the evaluation of structure and technique, an issue that is taken up again later.

Comments on the PEACE model

From the above description of PEACE it can be seen that the model is similar to social conversation and other models of interviewing. Whether it be DeVito's process of conversation, Shepherd's GEMAC, or Fisher and Gieselman's Enhanced Cognitive Interview, there is a consistent pattern of introduction, providing information about the process, the core conversation, feedback and closure. What PEACE adds is the integration of planning and preparation before an interview and evaluation at the end as part of the model itself. These elements of the model provide a mechanism for investigative interviewing to be anchored within the investigation itself.

Despite the commonality of various interviewing styles with PEACE, the two books originally supplied to officers present a particularly mechanistic approach to obtaining the interviewee's account. The explanation of each approach in "A Guide to Interviewing" concentrates on the process to be undertaken (see Figures 3 & 5) rather than the skills necessary to assist an interviewee provide their account. Whilst details of the relevant skills are discussed in later chapters of the guide under the heading of communication skills and memory, their presentation is not explicitly linked with either approach. Consequently, police officers might well have found it difficult to understand the approaches without training. More importantly, the impact of PEACE training relies to a great extent on trainers having a good knowledge not only of the two approaches for obtaining an account but also of the underlying knowledge of memory and communication skills as well. This is something that is taken up below.

The development of PEACE

PEACE was recommended to the police service by the Home Office in 1993 following an evaluation by McGurk, Carr, and McGurk (1993). 18 months later a review of PEACE training was conducted by Her Majesty's Inspectorate of Constabulary (HMIC, 1994). This review found a number of problems with PEACE training, which will be discussed in detail below. As a consequence of this review, a

second project team was formed in November 1994, which included the current author. The project team's terms of reference were:

- (i) "To revise and update course material,
- (ii) To evaluate and incorporate, as appropriate, trainer innovation, new legislation and judicial guidance insofar as it influences interviewing behaviour,
- (iii) To prepare and deliver the trainers' program,
- (iv) To research and prepare an advanced investigative interviewing course based on the experience already being developed in individual forces, notably Kent,
- (v) To evaluate and identify problems with the supervisors package and amend as necessary,
- (vi) To support the development of the supervisors package by Interactive Video Consortium, and
- (vii) To liaise with the Crime Faculty being developed by the National Director of Police Training and make recommendations for resourcing of facilities for investigative interviewing" (Unknown, 1994).

Due to a variety of issues the team was unable to deliver items (iii), (iv) or (vi) which were handed over the National Crime Faculty as the project team became integrated within the faculty. The team started with a National Interviewing seminar at the Police Staff College, Bramshill, followed by a number of regional sessions to help identify good practice and any problems being experienced with PEACE. In addition two reports were commissioned regarding the PEACE model, one from Stephenson (1995) regarding CM and the other from George (1995) regarding the CA.

Stephenson (1995) in his report suggested that "A Guide to Interviewing" presented a confusing explanation of interviewing because it did not sufficiently acknowledge the differences between interviewing witnesses/ victims and suspects. He went on to suggest that the guide should identify not only good interviewing practice but also appropriate structures for interviewing different types of interviewee. Two kinds of confusion were specifically identified. The relevance of some sections of "A Guide to Interviewing" to each category of interviewee (e.g. suspects, victims or witnesses), and conversely where a specific category of interviewee was identified, the relevance of that information to other categories of interviewee. Stephenson gave two examples concerning such confusion, the issue of establishing a working relationship (CPTU, 1992a, p. 13) which he suggested focussed on witnesses overlooking the need to build such a relationship with suspects, and a failure to develop the use of the

cognitive approach with suspects. The first example is not completely accurate because the information on pages 13 and 15 is applicable to all categories of interviewee. Stephenson went on to argue that there was a need for interviewers to understand how to use both generic and specific interviewing skills to fit the category of interviewee being interviewed.

With regards to Conversation Management, Stephenson rightly points out that this is an issue for all conversation. He went on to acknowledge its importance for structuring and controlling an interview and suggested that conversation management might be better described as 'Interview Management'. This suggestion is supported by pointing out similarities between the two approaches for obtaining an account in "A Guide to Interviewing". The similarities include both approaches requesting an open ended account where the interviewer's role is to listen and not interrupt. A complete and unprompted account is "accomplished in CI by various forms of free recall (e.g. working backwards) and in CM by identification of sections" (Stephenson, 1995, p. 4). This is followed by probing for further details, although this is poorly explained in CM. Finally, he argued that the separate presentation of CI and CM is confusing, that CI is more fully developed and may be "useful in revealing dissimulation, or unearthing additional information" (Stephenson, 1995, p. 4) for interviews with suspects.

As a consequence, Stephenson suggested a number of changes to the PEACE structure but not to the mnemonic itself. Importantly he identified the need to be able to challenge and/ or clarify an account, which he argued was poorly explained in "A Guide to Interviewing". This led him to highlight the recursive nature of the account phase and propose changes to the focus of 'C' (Closure) and 'E' (Evaluation) phases of PEACE. He suggested that 'Closure' became 'Clarification and Challenge' whilst 'Evaluation' became an evaluation phase within the interview itself. These proposals were not taken up because they were viewed as substantial changes to the PEACE model which would have caused considerable problems within the police service. The changes would have appeared to introduce another model of interviewing albeit with the same mnemonic and could have led to police forces believing that they needed to re-train considerable numbers of staff. In relation to the recursive interview, Stephenson explained that after obtaining information the interviewer returns to the 'Engage and Explain' phase to provide explanations to the interviewee of what is needed next and once again encourages the interviewee to use various strategies to help provide further information. Stephenson went on to explain that this

could also occur after obtaining clarification of information, challenging information or during the summary before closing the interview. The remainder of his report focused on interviewing suspects and in particular the need to be able to challenge their account of events. Challenging an account was further stressed in his recommendations which started by suggesting that "A Guide to Interviewing" should primarily focus on structuring interviews with suspects. Stephenson then went on to recommend that the concept of interview management be introduced to describe the process by which an appropriate interview structure is achieved and "the principles of conversation management and the cognitive interview should be integrated within the broad framework of cognitive interviewing" (p. 8). In relation to the PEACE model, he recommended changes relating to 'Closure' and 'Evaluation' as discussed above, together with the need to highlight the recursive nature of interviewing.

George's report (George, 1995) focussed mainly on the training of the Cognitive Interview (and this will be discussed below). He proposed that CI is not properly presented in "A Guide to Interviewing" and that converging the two models is not always a good idea. George queried the advice that interviewers should analyse all available evidence before an interview and argued that this is not always desirable when interviewing witnesses or victims for the interviewer to possess such information as they may use it to influence the interviewee, either wittingly or unwittingly. When an interviewer has little or no knowledge of an event they will be less likely to influence the interviewee's account, which will develop according to the interviewee's own recollection of the event. George did acknowledge that most of the elements of the CI are contained somewhere within "A Guide to Interviewing" but he went on to argue that there were also important omissions, incorrect emphasis, and misleading assertions. In particular, he said that alternative methods of reinstatement of context should be provided and that on page 21 the description of reinstating context is confused with instructions to image. He also said that the proposal on page 44 that "free recall produces information that is always accurate" was in fact incorrect. Finally, he pointed out that control of the interview is discussed at several points in "A Guide to Interviewing", but that the methods of handing over control to the interviewee, as required by the CI, are not explained at all. To help overcome these problems George suggested that a description of the standard police interview (SPI) should be included in the guide so that officers are aware of what they should not do.

Whilst these reports by George and by Stephenson were being prepared, members of the project team were examining the problems being experienced with PEACE and identifying the impact of upcoming new legislation (e.g. The Criminal Justice and Public Order Act, 1994). During this process four core interviewing skills were identified from workshops and a survey of police forces, these skills being:

- Planning and preparation,
- Rapport building,
- Active listening skills, and
- Appropriate use of questions.

It was intended that they would become the basic or core skills that officers would be expected to achieve. The team decided that in order to help ensure consistency with PEACE training a more practical guide to interviewing was needed. This was developed around the core skills and included:

- The principles of investigative interviewing,
- Practical exercises,
- Clear distinctions between CM and CI, and
- Advice concerning new legislation.

All of this was incorporated into one volume “A Practical Guide to Investigative Interviewing” (NCF, 1995). At the heart of this guide were clear explanations and examples of how to use CM and the CI mnemonics. However, senior managers decided that they wanted the replacement for “The Interviewers Rule Book” and “A Guide to Interviewing” to include a number of Stephenson’s recommendations, in particular the:

- Identification of common interview skills,
- Prominent inclusion of the Principles of Investigative Interviewing,
- Complete removal of the labels Cognitive Approach/ Interview and Conversation Management, and
- Inclusion of clarification and challenge to the account phase.

Consequently, Stephenson was employed to re draft the practical guide with the assistance of the current author. The idea of core skills was dropped from the agenda although they were later presented in Ord and Shaw’s (1999) book “Investigative Interviewing Explained”. In May 1996 a draft document (NCF, 1996) was submitted to the National Crime Faculty. This draft was then heavily edited by members of the faculty (who had not been part of the project team) including the removal of all built in skills exercises and explanations of the Principles of Investigative Interviewing. It is believed that this was because they wanted a reference document rather than a learning guide. The resulting document;

“Investigative Interviewing: A Practical Guide” (NCF, 1996), was delivered to the service in September, 1996. This guide was provided in printed format and as a CD ROM which included the guide, PEACE training material, supervisors training package, and supervisors checklist, for assessing interviews with suspects (see the section on from training to workplace, below).

The new guide incorporated both “The Interviewers Rule Book” and “A Guide to Interviewing” in four sections: (i) Principles of Investigative Interviewing, (ii) Interview Skills, (iii) The PEACE model, and (iv) Interviewing law and procedure. The first section set interviewing skills in a professional context and introduced the principles of investigative interviewing. Part two introduced the updated PEACE model (see Figure 6) and conversational techniques, after which PEACE was fully explained phase by phase in part four. In this part of the guide references to interviewee type were omitted in order to focus on the skills themselves. As required by police managers, all references to conversation management and the cognitive interview were omitted from this guide, whilst the skills and behaviours were incorporated into the PEACE model, as appropriate. In addition, Stephenson’s proposals for clarification and challenge were incorporated into the updated PEACE model. These interviewing skills were followed, in part four, by an explanation of the law and procedure as they related to interviewing. Finally, advice on supervision, remote monitoring of interviews, and The Criminal Justice and Public Order Act, 1994 (dealing with the right of silence) were provided in appendices. Apart from Figure 6 (below), there were no other flow charts in the guide.

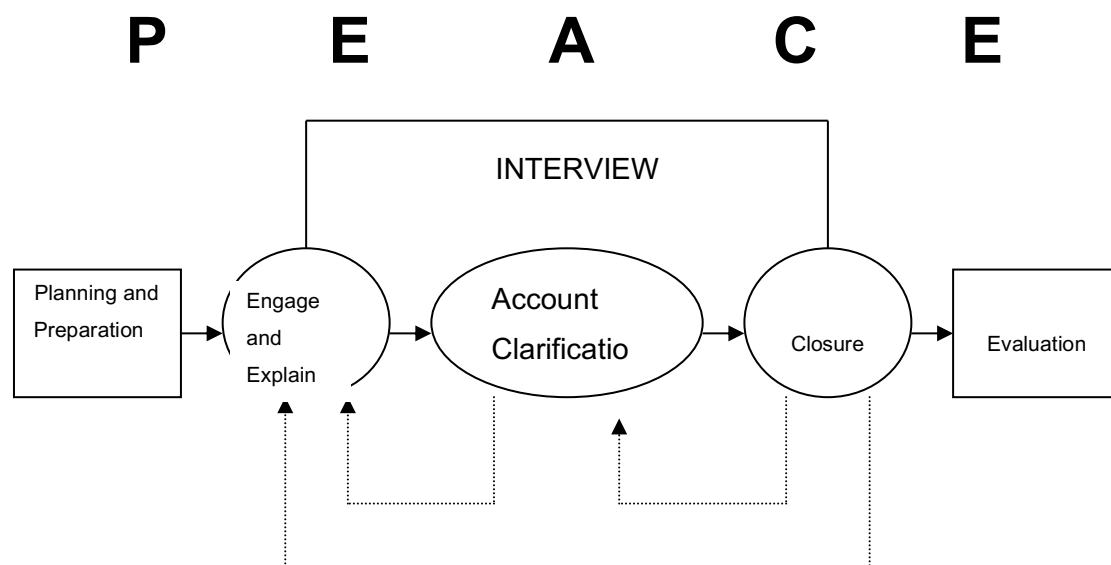


Figure 6 The PEACE model 1996 (NCF, 1996, p. 21)

In response to feedback from the police service the practical guide was updated in 1998 (NCF, 1998). For this 1998 edition the NCF reviewed the original draft submitted by Stephenson and Clarke (NCF, 1996) and reinstated some of this material including explanations of the principles of investigative interviewing. However, the most important changes were in response to a request for more guidance on which techniques should be used to interview different types of interviewee.

The first three parts of 'A Practical Guide to Investigative Interviewing 2nd Edition' (NCF, 1998) focussed on investigative interviewing, interviewing skills, and the PEACE model. Some comment on the manner that communication skills and several elements of the PEACE model are presented, is warranted at this point. The chapter on communication skills describes topics such as personalizing the interview, taking turns to speak, active listening and questioning skills, which are presented in a clear manner. However, their presentation does not quite explain the underlying processes of human communication. In particular, the description of conversational techniques does not explain that communication is best seen as transactional (Hargie & Dickson, 2004), and that what happens at one point in an interaction will affect future elements of the interaction. So an interviewer who asks one open question then allows time for a response before asking another open question, is setting up a process whereby the interviewee knows that they are expected to provide comprehensive answers and are being given the time to do so. Of course, when providing an answer to a question the speaker is expecting some form of response from the questioner (now the listener) to acknowledge that they are receiving their reply (Hargie & Dickson, 2004), and this element of communication skills is missing. Thus, the practical guide does present most of the current advice regarding active listening but misses out the need for verbal responses (e.g. verbal following, and echoing). Part of that advice includes the need to organise information into topics but there is no explanation of how to ensure that these topics are witness compatible (see below).

Planning and preparation in this 1998 edition is a comprehensive chapter that seems to concentrate on interviews with suspects and provides numerous references to relevant law; in particular the PACE 'Codes of Practice'. Strangely, the guide still talks about the advantages of using two interviewers (for interviews with suspects) at this point. Thus allowing one officer to ask questions whilst the second officer, should, monitor the conversation, take notes, and then at the end of towards the end of the interview question the suspect on any points that were not covered by the first

officer. This guidance is given despite the fact that most police forces across England and Wales discourage the practice! Engage and explain sets out to explain how to engage an interviewee in conversation and explain the reason(s), routines, and outline of the interview. The idea of 'ground rules' is introduced as; tell all without editing anything out, they can tell it their way, they should give as much detail as possible, they must not fabricate or make up answers to please you or anyone else, and the need to concentrate (NCF, 1998, p. 49-50). Clearly a number of these come from the advice given by Fisher and Geiselman (1992). It is within the account phase that the idea of willing and unco-operative interviewee is introduced together with the return of flow charts depicting the interview process (see Appendix A of this thesis). This enabled the authors of the 1998 document to keep the terms CM and CI from the guide, whilst at the same time providing an improved structure for interviewers to follow. Unfortunately, such labelling runs the risk of interviewers stereotyping interviewees and limiting their own ability to respond flexibly during the interview (Shepherd & Kite, 1988). This is an issue that would benefit from research.

For willing witnesses interviewer's were advised to reinstate the context of the event. Once again the terminology included the idea of reliving an event, although in this edition of the guide advice is provided on how to reinstate context. However, when discussing repeated recall attempts the idea of different perspectives is wrongly described as different senses, and there is no advice on how to aid an interviewee to recall using different perspectives or senses. This is unfortunate because George (1991) found police officers had difficulty with this mnemonic and without guidance it is likely that officers will just fall back on using the framework rather than the underpinning skills. Indeed, the advice on clarifying and expanding the account makes no mention of witness compatible questioning and/ or probing strategy (Fisher & Geiselman, 1992). Rather the advice implies that interviewers identify suitable topics and move through them, mechanically, one at a time probing for detail as necessary but with no thought to the interviewee's difficulties or needs. Similarly, the description of obtaining an account from an uncooperative interviewee also lacks the underpinning skills necessary to conduct a professional interview. Initially there is a brief reference back to cooperative interviewees after which the text moves on to discuss the first opening question. The next section briefly describes summarizing the interview after which a no comment response and challenging are considered. Once again the novice (and possibly experienced) interviewer is likely to fall back on the flow chart and just follow the structure when in doubt.

The 1998 guide (NCF, 1998) was provided in a printed and CD ROM version. A further update to the practical guide was produced in 2000 (NCF, 2000), which was really a maintenance release, in that it dealt mainly with typographical errors and legislative changes. This release was only available on CD ROM which included an amendments file to highlight the changes that had been made to the 1998 edition.

All in all it appears that the reference document that supports PEACE contains a number flaws regarding good communication and interviewing practice. In this authors opinion these are a result of the police service not employing an expert with up to date knowledge of current research and practice in these areas. This seems to be rather strange because the content and interpretation of legal material is always thoroughly scrutinised and commented upon by expert legal opinion.

PEACE interview or statement taking?

As has already been said above, interviews with those suspected of a crime in England and Wales are recorded on audio tape, thus making the interview process open to scrutiny. Interviews with witnesses and victims are not routinely recorded on audio tape and therefore not open to scrutiny. Indeed, the product of such interviews is usually a written statement. Statement writing does not form part of the training course although "A Guide to Interviewing" (CPTU, 1992a, p. 24) reminded the reader that whilst statements are produced in chronological order, care should be taken to ensure that the final product in line with the witnesses' memory. Rock (2001) suggests that witness interviews are a special type of interview with a multitude of tasks and goals.

Traditionally the police have (i) interrogated suspects and (ii) taken statements from witnesses and victims. It is the statement taking that has led to the inclusion of specific research on the impact of statement taking as part of this thesis. The reason for this is that whilst there is a good literature on the psychology of interviewing witnesses and victims, from the seminal work of Loftus (1979) on the impact of question types to the development of the Cognitive Interview (Fisher & Geiselman, 1992), there is very little research concerning real life interviews with victims and witnesses. In Britain (and in most other countries), except for special interviews (e.g. with vulnerable people), this type of interview is not regularly recorded. Consequently the interviewing of witnesses and victims could be described as a black art or 'black box interviewing', where following a meeting between a victim or witness and a police interviewer, a statement is produced. Yet there is little knowledge regarding how this occurs and whether or not good interviewing practice takes place.

It is known that statements are constructed during this process because, as “A Guide to Interviewing” pointed out, the information in a statement is invariably presented in a strict chronological order, something that memory does not provide. Indeed Ginet and Puy (2001, p. 13) suggest that “police officers [may] have an a priori conception of what the write up testimony should look like”. This is not surprising as the judiciary appear to want a chronological and detailed account of events upon which they can determine whether an offence has been committed. This need for a chronological event is supported to some extent by research in the USA where Bennett and Feldman (1981, (cited by Westcott & Kynan, 2004)) found that ‘story-telling’ or presenting a chronological account of events was the bond that enabled all the participants in a trial to make sense of the evidence. In another area of interviewing, that of child witnesses, Westcott and Kynan (2004) cited the work of Wade, Lawson, and Aldridge (1998) concerning the use of video recorded interviews with child victims in court. The latter cited four problems found with video recorded interviews:

- Lack of specificity in important aspects of evidence,
- Increased demands of concentration on those listening to the evidence,
- Inclusion of information not usually admitted as evidence, and
- Problems with the interviewers’ lack of neutrality.

The first three points are dealt with when police officers construct a witness statement. Interestingly, though Westcott and Kynan (2004) found that children’s narrative was usually presented in a chronological order, some aspects of the setting and specific detail was found to be missing. Clearly it is this detail that the various recall attempts of the CI is aimed at discovering.

Despite the issue of timings being a complex matter, Rock (2001) found that officers spend some time pursuing timings, with sub-events in the narrative being examined for both time and duration of occurrence. However, research has found that people are generally poor at estimating the duration of events. Loftus, Greene, and Doyle (1989), in an overview of relevant research, pointed out that people often provide timings of up to twice the actual length of an event. They go on to report that “sometimes the estimate of time is extremely exaggerated” (p. 8). Loftus, Schooler, Boones, and Kline (1986) found that the average estimate was five times greater (152 sec) when the actual duration was 30sec. A comparison of witness recollection and 200 crime reports in the USA (Schneider, Griffith, Sumi, & Burcart, 1989) found that half of the witnesses reported the duration as 15 minutes longer than the time given on the police report, with only two victims estimated a shorter time. What was

really worrying were the ten per cent whose estimates were two hours different from the police report. It could be argued that the police officers were underestimating the time but this is unlikely because the incoming call, assignment of officer, and officers arrival were routinely recorded and could therefore be compared with the crime report. Clearly then, there is a tension here between the need to anchor an event in time for the courts and for the defence (to be able to check), whilst acknowledging many people's poor performance when estimating time duration. Indeed there is a substantial literature on the problems of estimating time (e.g. Schiffman, & Bobko, 1974; Yarmey, & Matthys, 1990; Pederson, & Wright, 2002).

In addition to the issue of timing, there are some concerns that when officers construct a coherent statement from a disorganised narrative they are also changing the interviewee's account at the same time (Heaton-Armstrong, 1995). Heaton-Armstrong goes on to suggest that often such changes include additions or omissions that the witness subsequently queries in court, sometimes resulting in them being viewed as unreliable. In another paper, Heaton-Armstrong and Wolchover (1999) are vitriolic in their attack on police statement taking practices suggesting that "the result may be a document which substantially, if not fundamentally, diverges from what the witness stated or intended to state" (p. 226). Whilst acknowledging that there may be innocent reasons for omitting or adding information to an account, the tone of their argument is that it is more likely to be "the result of deliberate manipulation" (p. 227). Though it should be noted that, during the construction process, most officers are only managing an interviewee's account to ensure that; it is anchored in time, it provides sufficient details of the important aspects of evidence, and it does not contain information that is not usually admitted in evidence.

Unfortunately, because such interviews are not routinely recorded there is very little research on what does happen during witness and victim interviews. There have been two small scale studies in the UK of interviews with adult victims and witnesses. The first was by McLean (1992), a senior police detective, who asked some of his staff to record on audio tape their interviews with victims and witnesses. On examination of the recordings and the corresponding written statements he found that all of the statements were missing event relevant information. The range of missing items was from four to a staggering 38 missing items in one interview. He concluded that in comparison with the treatment of suspects during interviews, the treatment of victims and witnesses is far worse. These are worrying findings which

seem to support the views of Heaton-Armstrong and Wolchover. Although as McLean himself points out this was a small sample and the study was conducted before the introduction of PEACE training. Whether this training would have had a positive impact is not known. In the other small scale study of 12 interviews Daniell (1999, p. 60) found a similar pattern of poor practice, concluding that:

... witness interviews are more than a naked search for the truth and more a quest to provide what the officer knows to be true and gain sufficient information for the prosecution of the accused. Officers are liable to bending the truth in accordance with other accounts to this end. Free recall, amongst others, has been found to be indicative of quality, non-directive interviews, although the resulting statements still remain a far cry from the whole truth as presented by the witness, not as seen by the officer, Even quality interviewers can not be relied upon to produce a reflective account of what has happened.

Conversely, they are more likely to distort the facts presented to them.

This small scale study also supports the proposals of Heaton-Armstrong and Wolchover, this time after the introduction of PEACE training.

Clearly there are a number of valid concerns with the interviewing and statement taking process but they need to be put into perspective. "Writing skills, such as transcribing a jointly authored account or recording speech, are neglected [in training]. These writing tasks may be unfamiliar even to experienced officers and must be undertaken during the already complex interview situation, making statement taking not only a complex task but a complex literacy event" (Rock, 2001, p. 46). Some indication of the scale of problem posed by attempting to interview and construct a written account can be found in a study conducted in Israel (Lamb, Orbach, Sternberg, Hershkowitz, & Horowitz, 2000). Lamb et al (2000) had a unique opportunity to compare the verbatim notes of a sample of interviews with the audio record. The interviews were conducted by experienced interviewers but it was found that a significant number of utterances (57.3%) were not recorded in the interviewers' notes. This included information that was relevant to the cases under investigation, which represented 25% of all case relevant material. This suggests that the traditional method of recording an interviewee's account by asking questions and writing at the same time, does not provide the best evidence available to prosecute or defend an allegation of crime. Using forensic linguistics to examine real life statement taking, Rock proposed that statements involve four re-workings:

"Version 1 – The witnesses offer - the witness narrates the event with minimal intervention from the interviewer

Version 2 – Co-construction – The interviewer asks questions about the event, locations and actors

Version 3 – Note checking – In this phase the interviewer feeds back information to the witness who confirms that the information is correct or offers corrections.

Version 4 – Text construction – The interviewer now drafts the statement aloud. He constructs the written text sentence-by-sentence and as he writes or prepares to write each sentence he recites his planned text, implicitly requesting, and usually receiving, confirmation from the witness each time” (Rock, 2001, p. 52).

These versions appear to follow the PEACE model to some extent with Version 1 being free recall, Version 2 expanding the account, and Version 3 a summary before statement taking begins. This is encouraging as it provides a small indication that PEACE might be being used in witness and victims interviews.

It appears that the whole issue of ‘witness statements’ is riddled with contradiction. The judiciary require a witness account that is story like, located in time, detailed but without superfluous detail. This will naturally require some negotiation between the interviewer and interviewee regarding content, and timing; something that people are very poor at estimating. This is confounded by the difficulties of listening to an account, while compiling a written record at the same time. Therefore, having prepared the type of information that the judiciary require, they (the judiciary) complain that it is not the interviewee’s account and proceed to brand the witness as unreliable. Clearly this situation could be overcome with the audio recording of witness and victim interviews but the judiciary would still require a written record of the event. What is needed is a re-definition of what the witness statement is intended to do. Fortunately Rock (2001) has added some sanity into this situation by proposing three possible positions:

A. The witness holds the information is to be included in the statement; they should therefore decide what is included in the statement and how information is to be included,

B. The interviewer knows which aspects of the available information are likely to become important, they should therefore decide what is included in the statement – The interviewer should take decisions on content,

C. The interviewer knows how the statement will be used, they should therefore decide how information is to be included – The interviewer should take decisions on form.

These stances are extended by blending them as follows:

1. The witness' information is united with the interviewer's formatting and formulating expertise and enhanced by both parties communicating what is important to the other in order to provide the most useful statement.
2. The statement does not represent the witness account but offers an overview of their experience after the witness and interviewer have discussed what was experienced and agreed on the content of the statement.

Currently it seems that Blend 1 best fits the structure of the PEACE model and what interviewers set out to achieve. Blend 2 might be the best position if supported by an audio recording of the process to ensure that it was open to scrutiny but would require a dramatic change in the judiciary's view of what the written statement represents.

From the above discussion it appears that whilst PEACE provides a good structure for interviewing there are indications that the underlying model of Conversation Management is not clearly presented in the written guides and has not been fully tested in laboratory or field studies. The only known study to examine its effectiveness (George, 1991) found that CM did not do much to improve the quantity and quality of information obtained during an interview. Similarly, the Cognitive Interview, which has been found to improve the quality and quantity of information obtained during an interview (in laboratory and field studies), has also been poorly described in the guides. As the literature, supporting the PEACE model, has developed these omissions have persisted possibly because of the lack of input from psychologists. Indeed, it could be argued that some changes to PEACE have come about due to personal preference (of those involved in the updating) rather than being based on sound research. Consequently, it is not clear whether they are valid or not. However, PEACE is not expected to be learnt from the accompanying literature but rather a five day experiential course and it is that training which is discussed next.

Training PEACE interviewing skills

Although PEACE is the mnemonic for an interview framework, the main purpose of the original project was to provide a basic interviewing course for police officers in England and Wales. The development of that training will now be considered together with a review of its impact on interview practice. This will be carried out by exploring a range of evaluations that have been conducted on the impact of PEACE training since its inception.

The trainers and course material

From the start it was intended that the new course would be experiential in nature and that students would spend their time practising interviewing rather than talking about it. Shepherd (Shepherd, 1988) had previously been critical of police interview training and suggested that: "Before 1982 interviewing was literally thought about - being mainly the subject matter of notes, overhead projections, and one or two interviews observed by the rest of the course" (p. 182). He advocated that students should have the opportunity to conduct three interviews during an interview course as this enables patterns of behaviour to be reliably identified (Shepherd & Kite, 1989). These were just some of the issues that the original project team addressed when they developed PEACE training, as is discussed below. To help ensure consistency of delivery the original project team developed a standard set of PEACE training material, which consisted of; a trainers' manual, witness interview exercises, suspect interview exercises, a planning and preparation exercise, video scenarios (for briefing witness interviewees), and student briefing notes for participation in exercises.

After pilot testing the PEACE training material, it was decided that trainers needed a qualification that included the ability to give and facilitate feedback, in order to deliver PEACE training. Such skills were also identified by Shepherd and Kite (1989) as important for coping with the demands of de-briefing. However, they cautioned that some trainers focus on group work rather than individual responsibility and decision making. Shepherd and Kite (1989) went on to stress that whatever their experience, trainers need to be trained to train interviewing skills and have an "unself-conscious grasp of all of the conversational, cognitive and decision-making subject matter covered in the course" (pp. 39-40). They also argued for a three week training course for trainers in interviewing skills and outlined the process that they developed for Merseyside Police. However, the project team (on the basis of their pilot testing) decided that knowledge of the PEACE material itself could be provided for trainers

during a one week briefing session. Following initial National briefing courses, PEACE knowledge was cascaded to individual forces on a region by region basis (Police Staff College, 1994a). How this decision effected PEACE training is discussed below. In addition to their advice on trainers' skills, Shepherd and Kite (1989) also advocated the use of sophisticated video equipped interview rooms for the recording of students' interviews and the simultaneous transmission to those acting as observers. The project team did not go as far as requiring the use of video equipped interview suites (probably because of the additional cost for some police forces) but acknowledged that their use was preferable.

The PEACE training course

The PEACE training course itself was developed as a five day practical course for police officers with five to 12 years service (this was later extended to include all police officers). All of the relevant knowledge was provided beforehand so that the course itself could on experiential learning in a safe environment (Police Staff College, 1994b). As stated above students were issued with the two guide books; "A Guide to Interviewing" (CPTU, 1992a), and "The Interviewers Rule Book" (CPTU, 1992b), at least a week before the start of the course together with a workbook. The workbook took students through a typical crime incident dealing with issues such as PACE and when to interview victims, witnesses and suspects. Answers for completing the workbook were found in the two guide books. Students completed the workbook which was then de-briefed at the start of the course.

Although there was scope for trainers to provide input in the form of 'Micro-teaching' for issues that caused particular problems, this was not the core teaching method. Starting with initial introductions together with a needs and expectations exercise, sessions were then provided on giving and receiving feedback, and questioning skills. Prior to conducting actual interviews a briefing session should have been provided on how to give feedback using a briefing model from the trainers' manual. This paved the way for the victim and witness interviewing exercises lasting about one and a half days. Witnesses watched a video recording of an event as it was believed that most training establishments would be unable to stage the necessary number of actual events. A half day planning and preparation exercise was then undertaken (after 1996 a similar exercise was undertaken before the victim and witness interviews) before students started conducting interviews with suspects. Officers acting as suspects could be briefed to behave in a range of ways (e.g. confess, deny offence, remain silent etc.) in order to provide differing experiences.

During the interviews students were (ideally) split into two groups with one trainer managing each group. For each interview a student acted as the interviewee whilst two other students acted as the lead and second interviewer. The role that they had to play and the information available to interviewers' was provided in the form of briefing papers from the PEACE training material. By the end of the course each student should have acted as interviewee, lead and second interviewer, once during the victim and witness interviewing exercises and once during the suspect interviewing exercises. This meant that all students conducted two interviews and participated in four others. When not participating in an interview students acted as observers (ideally via a television feed) and made notes for later feedback. At the end of each interview the participants were debriefed by the trainer and given feedback on their performance by the trainer and group members.

Whilst this process fell short of Shepherd and Kite's (1989) ideal of each student conducting three interviews, it did provide an opportunity for officers to receive feedback on their interviewing skills and the opportunity to develop them, which should be better than discussions supported by overhead slides. There was, however, one problem with this training process and that was, few interviews were allowed to run their full course of the interview including the closure phase. To some extent this is understandable because what this basic interviewing course was trying to achieve was the development of officers' skills to explain the interview process, conduct a structured interview, and question interviewees appropriately. Most of which takes place in the 'Engage and explain' and 'Account' phases of an interview. Therefore, with each trainer trying to shoe-horn four or five interviews and de-briefing sessions into ten hours of training (and doing this twice, once for witnesses and once for suspects), something had to give. This was usually the 'Closure' part of an interview, which was to have a real impact on later evaluations of PEACE (see later in this thesis). Nevertheless PEACE wasn't released on the basis of pilot testing alone, a comprehensive evaluation was conducted by McGurk, Carr and McGurk (1993).

Prior to delivering PEACE to the police service, pilot courses were held at four locations across Britain; Manchester, London, Devon and Cornwall, and Lincolnshire (which included officers from Lincolnshire, Nottinghamshire and Cambridgeshire). The Cambridgeshire contingent were unique in that they were all probationers. Training was conducted by staff from the police forces involved in the pilot and from

the CPTU and were trained by the project team (Police Staff College, 1994a). In addition, the pilot study trainers had received a two week briefing, which meant that not only were these trainers 'specially trained' by the project team but also they were given a longer period of training than that advised for the remainder of the police service. The pilot courses formed the core of an independent evaluation of PEACE training by McGurk et al. Officers who attended the courses were matched by age, work location and length of police experience, with a control sample who did not receive PEACE training. All participants (PEACE trained and controls) were assessed before training, immediately after training, and six months later using a test station type procedure known as OSPRE (Objective Structured Performance Related Examination) that the researchers had developed for police promotion examinations. Participants had to gather information from a custody officer regarding an offence and then interview a witness and suspect for the offence. Each session was video recorded and later assessed using Performance Indicators (PI) developed by the team. In addition to the OSPRE procedure, all participants were asked to provide recordings of their real life interviews before training and six months later.

Prior to conducting the evaluation McGurk et al. developed PI's for investigative interviewing skills by interviewing a small group of interested people including; ten police managers (sergeants and inspectors), 20 police officers (constables) active in interviewing, and ten prisoners (at Maidstone prison). This resulted in the development of seven general interviewing PI's plus a further four relating to interviews with suspects, and a further two relating to interviews with witnesses (see Figure 7 below). Interestingly, these PI's related to investigative interviewing skills rather than the PEACE model itself (although all elements of PEACE, except for evaluation, are present).

Pis for suspect and witness interviews	
Planning for the interview	Reading relevant statements and custody record, considering PACE, exhibits, and taking account of interviewee's emotional state
Introducing the interview	Identifying self, explaining interview purpose and establishing rapport
Questioning techniques	Balanced use of open and closed questions, not using leading and multiple questions or answering own questions
Communication skills	Fluency, no inappropriate pauses, no inappropriate disclosure of information or use of distracting gestures and movements
Structuring the interview	Logical sequence, use of CI and CM
Listening skills	Appropriate use of verbal skills e.g. summarising, reflecting back, not interrupting, and non verbal skills such as nodding, eye contact
Covering points to prove	Ensuring coverage of information relevant to proving the offence
Additional PIs for suspect interviews	
Introducing the interview	Follow PACE requirements, explaining tape procedure, not asking questions before tape is running, and operating equipment properly
Obtaining the suspects version of events	Asking for account and testing inaccuracies
Having an open mind	Obtaining information rather than a confession, lack of oppression, not simply accusing the suspect, or being aggressive
Closing the interview	Informing suspect of what happens next, further enquiries, charging or consultation with custody officer
Additional PIs for witness interviews	
Establishing the credibility of the witness	Coverage of ADVOKATE, whether they know suspect, recognise again, and obtain a description
Closing the interview	Information about what will happen next, further enquiries, whether they are willing to attend court and thanking them

Figure 7 Performance Indicators for PEACE interviews (McGurk et al., 1993)

In all 40 officers who attended the pilot PEACE training who were assessed before and after training, whilst the number of controls was 30. Due to operational commitments, 36 trained officers and 30 controls took part in the six month assessment. With regards to 'real life interviews' conducted before and six months after training, only 17 trained and 13 controls were able to provide such recordings. Indeed, a number of officers conducted no interviews (with suspects) at all in the six months following training. It should be noted that all the tape recorded operational interviews related to interviews with suspects of crime.

Overall McGurk et al. found that the training sample demonstrated statistically significant improvements between pre and post training assessments for interviewing knowledge and skills for interviewing both witnesses and suspects. This was not the case for the control sample. However despite an overall development of skills, little improvement was found in the coverage of 'points to prove' (these are the components of a criminal offence that must be proved to the court in order to obtain a conviction for the offence in question – every offence has a different set of points to prove) which should be a focus of interviews with witnesses, victims and those suspected of a crime. Strangely, during the OSPRE assessment centres at the pre training, post training and six month stage 'Closure', an integral part of the PEACE model, was not scored. McGurk et al. (1993, p. 18) stated:

One of the Performance Indicators ('Closure') could not be scored in the simulated interviews as the interviewers had to vacate the room at the sound of an audible signal without any advanced warning. They did not, therefore, have the opportunity to close the interview as they may have done without this time constraint.

Taken together with the earlier observation that students rarely (if ever) had the opportunity to 'close' interviews during training it is little wonder that when examining the real life interviews pre and post training McGurk et al. found little improvement in this area. Neither students and controls performed well before training and whilst there was some post training improvement this was not significant, and the controls were rated as superior to the students. The problems with closing an interview identified by McGurk et al. (1993) were rushing or omitting it altogether. These findings are surprising because in all the interviews examined the interviewer should have been following an *aide memoire* card, a standard procedure for interviews with suspects that is used across England and Wales. McGurk *et al's* conjecture that the problems may be due to pressure of work, appear to be just that – conjecture, because they provide no data to suggest that they actually surveyed the interviews in order to establish the reasons for poor closure. Nevertheless, the findings are concerning because if closure is poor for interviews that are regularly recorded and where the interviewer has an *aide memoire* card, what happens with victims and witness interviews that are not regularly tape recorded and the interviewer has no *aide memoire* script? In reality it is not known how much information police interviewers provide at the end of an interview regarding; what happens next, how the interviewee can contact police about the incident, and what they should do if they

remember more information. Clearly what happens during such interviews is an area that requires further research.

In addition to the assessment of interviewing skills, the team also assessed the training process itself. Observation of the courses led McGurk *et al.* to conclude that overall the course met its aims at all four locations. The trainers were viewed as being adequately briefed, whilst the “materials were found to be readable, interesting and informative” (McGurk *et al.*, 1993, p. 24). However, the students felt that the workbook could be more taxing. The course enabled significant learning to be attained in the areas of planning and preparation, and differentiation between two interviewing styles (cognitive interview and conversation management), with further learning having occurred in; questioning techniques, PACE, listening skills, and the need to interview witnesses. Nevertheless, McGurk *et al.* were critical of the course structure particularly the introduction, which differed between locations from two hours to one day, and the debriefings, which were not as effective when they were student led, although the provision of video facilities were deemed an advantage. Conversely, they noted that course’s success was inextricably linked to the way it was organisation. Finally, they considered that the consistency of training across the four locations was good with only minimal differences being found. This allowed McGurk *et al.* to conclude that “the evaluation of the four pilot investigative interviewing courses showed that these had been successful in virtually all respects” (p. 27).

As a result of this evaluation the Home Office (1993) wrote to Chief Constables, who were requested to urgently consider implementing PEACE training within their force. PEACE training was then rolled out across the police service of England and Wales. Although it may be that PEACE training was not effective as the initial evaluation proposed, because despite McGurk *et al.*’s suggestion that PEACE training enabled significant learning, there are other explanations for their findings. In particular no information is provided regarding how the participants’ were chosen, were they volunteers, selected at random etc. The method of selection may have some bearing on the participants motivation to learn during the five day PEACE course, although it is more likely that the evaluation process itself provided an even greater motivation. By requiring participants to provide examples of their real life interviews and attend pre-course and post-course assessment centres, the project team and evaluation team were sending out clear signals that this training was special.

Therefore, it is very likely that the participants had a higher than normal motivation to learn from these initial PEACE courses.

Nevertheless, having recommended PEACE training to the service neither the Home Office or ACPO allowed it to be delivered without further thought. In 1994 Her Majesty's Inspectorate of Constabulary was commissioned to conduct an 18 month evaluation of its implementation across England and Wales (HMIC, 1994). This review consisted of visits to six National probationer training centres, a telephone survey of 43 police forces, and visits to a further nine forces. It was found that only eight police forces were training PEACE in accordance with the guidelines and training material. A range of issues was found in the way the PEACE was being delivered to the police service. Eight forces had reduced the length of course from the original five days, usually to four days but in one case to two days. However, even when the full five day course was retained the actual hours of course-work varied from 28 to 40. Probably the most important difficulty related to those being asked to train PEACE. Despite the recommendations for trainer standards (mentioned above), the evaluator discovered that not all trainers who delivered PEACE held a CPTU trainers' certificate and probably did not have the skills necessary to facilitate the debriefing sessions. Indeed, a number of trainers had no trainer experience at all and/ or had not attended a full PEACE course. Frequently, when trained PEACE trainers moved assignments, the incoming trainer did not receive training on how to deliver PEACE but learnt by 'sitting by Nellie' including all of its defects. In one force officers who attended a centrally held course (within the force) then returned to their own division (area) and trained others. A probable consequence of poor trainer skills was that many of those surveyed indicated that they presented a range of material didactically resulting in a general reduction of the time spent on experiential learning.

Problems were also being found with the PEACE training material with additions being made locally. Only 25 forces were using the pre course workbook, with some forces viewing it as too simple and others either sending it out late, or working through it on the first day. An interesting point here is the one force ensured its completion by making it mandatory for continuing with the course. Officers who failed to do so were returned to their place of work. (This issue has been raised now in part because the management of PEACE training assumes a growing importance in the up coming discussion.) Apart from the workbook, there was a growing confusion

regarding the two approaches for obtaining an account, with trainers at different locations interpreting “A Guide to Interviewing” differently. A particular problem here was the Cognitive Approach, where the guide did not clearly present the Cognitive Interview, and, as was discussed earlier, contained some errors. This was resulting in some trainers following the PEACE material whilst others were following Fisher and Geiselman’s (1992) book. A number of the forces surveyed were also adding material to the training, in some cases continuing with what they did pre PEACE. Trainer innovation was to be expected in the provision of extra scenarios to meet specific student groups such as traffic or drugs squad officers. Or in the inclusion of a planning and preparation methodology, predominantly Shepherd’s SE3R (2001) which is a mnemonic for; survey, extract, read, review, and respond, and provides a methodology for extracting information from a variety of sources and combining it onto a time line. Unfortunately, other less welcome material was also being included such as Non Verbal Communication, the idea of Baselines (the identification of behaviours which are thought to signify truthfulness or lying), and in one instance the Behavioural Analysis Interview (Inbau & Reid, 1967), with its attendant problems that were discussed above. The evaluator put some of the inclusions down to the needs excise at the start of training. But there was also a strong implication here that trainers were inserting what they believed should be included in the training, which is yet another indication that the presentation of PEACE was not being managed properly. Finally, it was noted that the police forces surveyed had widely differing approaches to the implementation of PEACE. The issue of who should be trained and when varied from one force to another. In some instances training was given to constables and sergeants whilst in others all ranks up to and including Detective Superintendents were being trained. Some forces were giving priority to trainers and CID officers whereas in other locations there was no prioritisation. Most of the forces had no implementation plan at all. The evaluation concluded that the problems of implementing PEACE could be associated with; a desire to reduce abstraction costs (resulting in a shortening of courses), the inadequate training of trainers, and insufficient value being attached to the pre-course material.

In response to these findings a second project team was formed in order to overcome the problems and try to get the implementation of PEACE back on track (see ‘The development of PEACE’ above). In order to achieve these aims team members carried out a series of seminars across England and Wales where they identified problems and provided a consistent description of how PEACE and the two approaches for obtaining an account should be trained. There was little need to

update the training material but a bank of additional scenarios was collated and provided to those who wanted them. In order to ensure the widest dissemination of the PEACE course material it was re issued and included on a CD Rom. Advice on the implementation of the Criminal Justice and Public Order Act 1994 (dealing with the right of silence) was disseminated via a news letter and differences in interpretation of the two approaches to obtaining an account were dealt with by way of the new publication "Investigative Interviewing: A Practical Guide" (NCF, 1996) that replaced the two original books. The preparation and delivery of a trainers' program was problematic from the outset. To start with there was neither sufficient time or team members to develop and deliver a trainers' program, plus it was not known whether forces would suffer the costs of sending trainers on such a course. In the end it was negotiated with the CPTU that their trainers' program would include an option for training PEACE. Additionally one force (Warwickshire) started providing a training program for PEACE trainers which was open to participants from anywhere. One important service that the project team did provide was that of a central information point on investigative interviewing, this meant that when trainers or practitioners had queries they received consistent advice. A function that was subsequently incorporated into the National Crime Faculty.

What has been discovered from these initial evaluations is that PEACE training can develop interviewing skills when it is delivered by competent trainers using the material provided. However, when PEACE training is not managed properly and presented by unskilled staff who are allowed to include their own material and/ or reduce the amount of experiential learning involved; the impact may be different.

The impact of PEACE training

In the years following the implementation of PEACE a number of evaluations have been conducted to try and establish its effectiveness. One of the first was an independent evaluation for Bedfordshire Police by Marshgate Consulting (Elliston, 1995). Data collection consisted of questionnaires and interviews with a cross section of staff from which it was determined that PEACE training was generally well received by staff. However, many constables believed that it was time consuming in practice. Conversely, all staff saw PEACE as essential for interviews relating to serious crimes. Ultimately it appeared that time constraints affected the transference of PEACE to the workplace because "the signals picked up by the officers at present suggests to them the priority for implementing the new investigative interviewing skills and processes is low" (Elliston, 1995, p. 3). This is taken up below during the

discussion on training transference. Since this initial evaluation a number of unpublished studies have evaluated PEACE interviewing in individual police forces which may shed some light on how effective the PEACE training program has been. Most of these studies fall into one of three distinct types; (i) the evaluation of interviews with suspects, (ii) surveys of staff by questionnaire and semi-structured interview, and (iii) combination studies using both evaluation and survey methods. These research studies considered issues such as interviewing skills, interview supervision, and the implementation of policy.

Jones (1996) surveyed a small number (18) of CID officers in Hampshire Constabulary after completing a PEACE course and about six months later. The post course 'reactionnaire' found a high level of satisfaction with the course, with most responses being above the median on a six point scale. When the officers were surveyed six months later it was found that a third of the sample had conducted no interviews since attending the course and only a third were interviewing suspects on a frequent basis. Of the 12 officers who were actually interviewing suspects, all bar one officer thought the course had improved his skills and most respondents reported using PEACE when interviewing. Jones enriched the survey data by selecting four participants and rating three interviews (with suspects) pre training and three interviews post training for each participant. Each interview was rated on 41 separate performance criteria that were divided amongst the five elements of PEACE. Three of the four officers demonstrated improvement across the whole interview, whereas the other officer (who had been resistant to the introduction of PEACE) demonstrated improvement during the account phase and some improvement in questioning skills. Interestingly, one officer who suggested that PEACE interviewing was no different from what he had been doing, demonstrated a marked improvement between the pre and post training interviews. One area of poor performance across the four officers was the 'engage and explain' phase where three performance indicators were poorly managed; identifies roles, pre interview disclosure confirmed, and purpose of interview explained. In addition, summaries during the account phase were poorly conducted. Jones concluded that PEACE training was having an impact on performance but warned against complacency. He recommended regular assessment of interviews in the workplace, a topic that is taken up below. This was an interesting study that set out to identify pre and post training skill levels, albeit with a very small sample. Unfortunately, Jones selected the interviews himself and therefore probably knew which were the pre and post interviews during assessment, although he does report cross checking his assessment with other assessors.

Nevertheless, it is not known to what extent this prior knowledge impacted on his assessment of the interviews.

Hall (1997) conducted a combination study in Lancashire Constabulary. The sample consisted of 60 interviews with suspects recorded by officers at six locations. Half of the interviewers were trained and the other half untrained; though 20% of the original untrained sample had no recent interview available for assessment and interviews were drawn from a wider selection of officers to make up the requisite number for analysis. Hall rated the interviews (on five levels of competence, from 'high skill' to 'poor') for the extent to which the skills taught during the PEACE course were applied in practice. Unfortunately, this was another study where the ratings were not blind, as the rater was aware of which interviews were conducted by trained or untrained officers and so could have biased the ratings. Assessments concentrated on the engage and explain, account and closure phases of the PEACE model of interviewing. It was found that training did appear to have an effect on skills level with a third of the trained officers being rated as 'high skill' or 'skilled' (33%), another third as 'average' (33%) and the remaining third as 'less skilled' or 'poor' (34%). In contrast over two thirds of untrained officers were rated as 'less skilled' or 'poor' (77%) and only one untrained interviewer was rated as 'skilled'. From these ratings Hall then discussed particular skills that were present or found to be missing from interviews at differing levels of skill and training. For 'skilled officers', only 50% of trained officers explained the caution satisfactorily whereas the untrained officers didn't explain the caution at all. Nevertheless, an explanation of the interviewee's access to legal advice, good opening questions, providing summaries, and evidence of planning and preparation were all present in interviews rated as 'skilled'. Of the officers who were rated as 'average', 50% of those trained explained the caution though not always clearly. These trained officers also conducted longer interviews (mean = 12.8 minutes as opposed to mean = 9.6 minutes for untrained officers). Explanations of the right to free legal advice were reasonable but the structure of the interview and summaries of the information provided by the interviewee were limited whether the interviewer was trained or not. The roles of those present were only explained when a legal advisor was present.

For those interviewers rated as being 'less skilful' there was no difference between officers who were PEACE trained and those who were untrained. The caution was explained by only one trained and one untrained officer, no explanation was given of

people's roles, and no rapport building was attempted. Access to legal advice was not fully covered, the interview lacked depth and structure with little probing or challenging. For those officers deemed to be 'poorly skilled' there was, again, no difference between those who were trained and those untrained. Neither the caution or people's roles were explained, the right to legal advice was poorly covered or omitted completely. The interviews lacked structure, contained poor questioning techniques, and rarely challenged the interviewee. In other words they were no different from those examined pre PEACE (e.g. Moston et al., 1992; Baldwin, 1992).

Hall also administered a questionnaire to all officers who had had an interview assessed. The purpose of the questionnaire was to identify the importance that officers gave to PEACE and the extent to which it was considered by them to be used. Of the trained officers, 85% reported using PEACE, though only 16% said that they planned interviews (13% for untrained officers). Interestingly, over 90% of trained and untrained interviewers saw rapport building as important, though the author found no evidence of it in any of the interviews! Hall concluded that substantial numbers of officers were not actually conducting interviews at all (as have others e.g. Jones, 1996; McGurk et al., 1993) and that not all of those who go through interview training become skilled. In view of this it was suggested that the PEACE course should be reduced in length by removing the practical exercises to allow for larger class sizes and a shorter course. This is contrary to the usual guidance for skills training, which advocates smaller classes and as much practice as possible. Hall's conclusion also implies that training is the only factor in the acquisition of new skills and ignores the importance of a supportive workplace environment to help put new skills into practice after training.

Two years later and using a similar combined methodology Rigg (1999) examined the extent to which officers in Northumbria used specific elements of the PEACE model. On this occasion the focus was on trained officers, with questionnaires being sent to 433 uniform constables (52% response rate) followed by an examination of 66 interviews with suspects. Most respondents reported that PEACE was useful as it provided a structure and increased thoroughness, though others pointed out that PEACE interviews take longer, and two officers to conduct the interviews are rarely available. Interestingly, most of the tapes assessed for this study involved two interviewers.

In response to the questionnaire, all officers seemed to indicate that some 'Planning and Preparation' for an interview was conducted, particularly with regard to examining statements, checking intelligence, the Police National Computer (PNC) and outstanding warrants, plus the identification of offences. However, over 20% of respondents said they rarely or never examined the custody record, considered relevant times or reviews, considered welfare of appropriate adult/ interpreter, wrote down the interview objectives or considered the welfare of the suspect (Rigg, 1999). To establish 'Rapport' officers reported that they talked to the interviewee about unrelated matters (25%) (something that legal advisors discourage), making sure the interviewee was aware that the investigating officer was looking after his/ her needs (16%), providing cigarettes (13%), and being fair (17%). Fully explaining the procedures that were happening represented less than 1% (n = 2) of the responses. Conversely, during 'Engage and Explain' 88% of respondents indicated that they always or almost always explained how the interview was going to be conducted and explained why the suspect had been arrested (99.6% of respondents).

However, the subsequent evaluation of actual interviews with suspects conducted by officers from the same sample identified a different pattern of behaviour. Whilst many respondents (88%) reported that they explained why the interview was being conducted, two thirds (66%) of the interviews examined found little or no evidence of this, as had previously been identified by Jones (1996). Similarly, nearly all officers (99%) reported explaining the reason for arrest, whereas in just under half of the interviews assessed (49%) such information was not given or only minimal information was supplied. Again these findings are in line with the earlier work of Jones. Overall, Rigg found that officers were complying with the legal requirements such as; identifying self and role, providing, time, date, location, explaining the caution, reminding of right to legal advice, and ensuring exhibits were available. This is not surprising since officers use an aide memoir sheet for most of this information. The skills which were found to be less well displayed included;

- (i) Failing to explain how the interview is to be conducted;
- (ii) Failure to explain tape process;
- (iii) Failing to remind the suspect of significant statements;
- (iv) Failing to tell the suspect why they have been arrested;
- (v) Not asking why the suspect declines solicitor;
- (vi) Failing to obtain an appropriate number of recalls;

- (vii) Not summarising;
- (viii) Not placing, the suspect's account into sections, and
- (ix) Not reviewing the suspect's account.

Many of these skills involve the actual structure of the interview itself. Once again there is some similarity with the findings of Jones (1996).

As a result of his evaluation Rigg highlighted a number of issues. The first being that basic principles of PEACE were not being applied. 'Planning and Preparation' was not as comprehensive as it should have been and, in view of the disparity between what officers say they do (questionnaire responses) and their actual behaviour (based on interview assessments), it was probably minimal. Officers were not getting the idea that 'Engage and Explain' is in fact part of the rapport building process. Another problem was flexibility. Many officers believed that two police officers are required for a PEACE interview and, in addition, that such interviews are too complex and/or time consuming for simple jobs. Consequently, suspects were not always being given the opportunity to give their account. Indeed the respondents in Jones' (1996) study identified not interrupting as one of the most difficult changes that they had to make.

In Cambridgeshire an external consultancy group (Collier & Styles-Power, 1998) assessed the use of PEACE interviewing in the workplace through a questionnaire survey. Questionnaires were sent to a sample of 80 trained and 80 untrained officers; both constables and sergeants. The response rate was 43% (62) for the constables and 100% (15) for the sergeants. However, of the trained respondents 43%(12) were support staff. Trained officers again reported that PEACE was difficult to implement (primarily due to lack of time) and that two officers were rarely available to conduct the interview in rural areas. Most officers felt planning was not necessary as jobs were usually trivial. Constables (in patrol roles) indicated that they were constantly pressured to complete interviews quickly, though supervisors reported that no time constraints were placed on interviews. Once again the rigid need for two officers to conduct an interview and the belief that PEACE interviews are longer demonstrates a similar inflexible approach to PEACE to that found by Rigg (1999). There were exceptions to these views though. Traffic officers and officers taking calls from the public were found to be willing to adapt the model, finding it useful for obtaining reliable information.

These studies seem to suggest that despite McGurk et al.'s (1993) original positive evaluation, many officers were not using the structure provided by PEACE, especially with regard to; (i) explaining the caution, (ii) explaining the interview purpose, (iii) a structured examination of the account, and (iv) using summaries. Officers seemed to be defending these findings by suggesting that the planning and preparation is unnecessary for many crimes, and PEACE interviews take too long. Trafford (Trafford, 1996, p. 19) reports: "One student claimed he only used the 'A' for account, as that was the only bit 'they' (his shift) ever had time to do." Though Elliston (1995) suggested that the time constraints officers refer to are often perceived rather than real. Despite the majority of studies reporting officers as depicting the PEACE framework as an inflexible tool, other officers (e.g. traffic officers in Cambridgeshire) seemed to be effectively adapting the PEACE structure. Collier and Styles-Power (1998) rightly highlight the fact that the communication skills taught on the PEACE course are valuable in a range of circumstances. They suggest that samples of non-crime material be incorporated into the course to emphasise the wider application of PEACE skills.

Two issues stand out from the studies considered above. The first is that all of the studies mentioned have concentrated on interviews with suspects even though the PEACE framework was developed for all investigative interviews, including those with victims and witnesses. In fact, Jones (1996) seems to have purposely omitted data relating to victims and witnesses even though it was part of the first (standard) questionnaire that he used. There is little in the way of research examining interviews with victims and witnesses post PEACE despite officers indicating that their information is crucial to an investigation (Kebbell & Milne, 1998). Though this is partly explained by the fact that interviews with victims and witnesses are not routinely recorded in Britain. There is a wealth of research into the effectiveness of the Cognitive Interview in the USA, Germany, and Britain (Koehnken et al., 1999, provide a meta-analysis of the research). This includes studies that demonstrate the CI enhances recall of 'real' life witnesses and victims of crime, although these (field) studies used selected officers who were trained by the researchers and did not examine the effectiveness/ applicability of the CI as a result of police training programs. However, Memon, Holley, Milne, Koehnken, and Bull (1994) found that CI training did not produce any significant increase of information from witnesses to a staged robbery. The training provided for this study was only four hours in length

rather than the two days allotted during the PEACE, but it had been successfully used to train students prior to previous studies. Memon et al. (1994) did, however, make the important point that the police officers in their study were all experienced in the traditional manner of interviewing witnesses which could have made it more difficult for them to implement a new style of interviewing: the CI. The issue of training transference is discussed in more detail below.

Prior to the introduction of PEACE, McLean (1992) examined 16 interviews with witnesses and victims recorded by members of his own staff. After analysis he summarised his findings as (p. 48):

... the style of investigative interviewing tended to be directive with a very high proportion of counter-productive questions; the interviewer sharing too much of the talking, rapidly changing topics and ruthlessly editing information offered into a reduced form produced for plausibility rather than factual truth. Comparison of interview style and content with taped suspect interviews indicated that Police Officers do not interview witnesses in a similar way to suspects. Indeed, the treatment of witnesses appears far worse.

This is an appalling indictment on the police interviewing of witnesses and victims of crime, pre PEACE. However, PEACE training addresses these issues and trained officers should demonstrate an improved style of interviewing. Whether the training does this in practice is difficult to determine because, unlike interviews with suspects, interviews with victims and witnesses are not routinely recorded. It is therefore difficult to determine what actually occurs during these interviews. Questionnaire survey's (Kebbell et al., 1999; McMillan, 1997) and a small diary study (Longford, 1996) examining officers' views and behaviour after a PEACE course found that officers perceived PEACE and specifically the CI to be a useful practical tool. Though whether this can be taken as a sign of its use is debatable due to the disparity between what officers do and what they say they do. Croft (1995) suggested that officers are reluctant to use the CI when interviewing victims and witnesses as, like PEACE generally, they perceive it to be time consuming, which results in it being used primarily for more serious offences. Although even this may be wishful thinking. Trafford (1996) in her internal evaluation cites problems during a major investigation where training records had shown a number of officers to be PEACE trained, however in practice only two had the necessary skills to conduct Cognitive Interviews. In order to overcome the problem remedial training was provided for the remaining staff and many of the original statements were reviewed.

Changes in the guidance for conducting interviews with victims and significant witnesses to serious crime (NCF, 1999) have resulted in the recording of a number of interviews with victims and witnesses. However, the findings outlined above suggest that this may show up even more flaws in interviewing practice. One small-scale study by Daniell (1999) examined seven such interviews, and as a result suggested that victim and witness interviews were of a very poor quality (see the section on 'PEACE interview or statement taking?' above). With such a small sample it is dangerous to suggest that these findings apply to most or all interviews with victims and witnesses. However, taken together with the work of McLean and Trafford the indications are that there may well be a pattern of poor practice when interviewing and presenting the information of witnesses and victims. What is clear is that a larger scale study is needed to obtain a better understanding of what is happening during and after these witness interviews, particularly with the expected increase in recording of victim and witness interviews as a result of ACPO guidance in the Murder Investigation Manual (NCF, 1999) and the implications of the new Youth Justice and Criminal Evidence Act, 1999 (which include guidance on audio tape recording of victim and witness interviews in specific circumstances).

What these prior studies have shown is that despite the initial evaluation of PEACE training being wholly favourable, subsequent studies have found a pattern of PEACE being poorly used in the workplace. Interestingly, most of these studies have focussed on interviews with suspects, although there is some evidence that the quality of interviews with victims and witnesses is even worse. However, it is not just in Britain that research is finding difficulties in training investigative interviewers to use good practice during their interviewing. Researchers in Israel and the USA are beginning to report similar problems during interviews conducted with children who have allegedly been abused (e.g. Lamb, et al., 2002a; Lamb, Sternberg, Orbach, Esplin, & Mitchell, 2002b). This research is discussed below in relation to the supervision of interviews. Nevertheless, from the studies examined above there is an emerging suggestion that the problem to using good interviewing practice rests with a lack of support, or management of interviewing in the workplace. Managers do not appear to be supporting the use of the new interviewing skills in the workplace, nor are they providing a proper implementation strategy for PEACE. The question that now needs to be addressed is what are the factors that affect or encourage the transference of newly learnt skills to the workplace, and this is discussed next.

From Training to Workplace

It is important not to forget that the purpose of developing PEACE was to improve police interviewing in the workplace. As discussed earlier, by the end of the 1980's there was a growing concern regarding police interviewing practices. PEACE training was the Association of Chief Police Officers (ACPO) and the Home Office's method of addressing the problem. However, the use of newly learnt skills in the workplace does not always follow training. When such skills are used in the workplace it is known as the 'Transference of Training' which has been defined by (Broad & Newstrom, 1995, p. 6) as:

"the effective and continuing application, by trainees to their jobs, of the knowledge and skills gained in training – both on and off the job."

The evaluations described above suggest that PEACE training may not be being transferred to the workplace in the intended manner. Therefore, it is essential to examine the factors that aid the transference of learning and the extent to which PEACE training incorporates such factors.

Despite the good intentions of the police service in England and Wales, the literature on training transference generally (that is not specifically relating to interviewing or police training), makes grim reading. In 1986 Newstrom suggested that less than 20% of training is transferred to the workplace. Nearly ten years later Broad and Newstrom (1995) proposed that it is generally believed that only 40% of a training program is used after training, which is reduced to 25% six months later and as little as 15% after a year. Other estimates are as low as ten per cent of trained behaviours actually being seen in the workplace (Facteau, Dobbins, Russell, Ladd, & Kudisch, 1995; Hoffman, 1983). So what can be done to improve training transference?

The transference of training

Once training has been decided upon, the process of changing staff behaviour usually takes place in two stages (Michalak, 1981). During the first phase the new skills and knowledge are acquired, and then during the second phase they are maintained in the workplace. The literature on training transference provides a number of ways in which training should be developed to aid the transfer of training. These include such things as; program characteristics, validity, context, and transference activities. Programme characteristics include ensuring that the training is meaningful and related to the job in hand (King, 1996) and that the content provides a balance between theory and practice (King, 1996), although Garavaglia

(1993) suggests that understanding the principles of a topic also aids transference. The programme should provide sufficient opportunities to practice the new skills and knowledge (Ottoson, 1995) using different examples (Reboy, 1991). Such practise of new skills in a safe environment seems to be a crucial element in the learning of new skills (Broad & Newstrom, 1995), although King (1996) reports that class size is also a factor, where smaller classes enable trainers to spend more time with individual students.

According to Brinkerhoff and Montesino (1995), training programmes also need face validity. That this is they must appear, to a lay person, to develop the skills and knowledge that they set out to, as failure to achieve this is a barrier to transference. Similarly, the training tasks should match those that are found in the workplace (Garavaglia, 1993; Broad & Newstrom, 1995). In this way the training program becomes more convincing and participants see how it would be useful to them in their work (King, 1996). Another workplace consideration is that training should take place in a similar context or setting to that in which it is to be applied (Reboy, 1991). Reboy goes on to support this by citing Dewey's (1908) proposal that learning information is similar to learning to use a tool and that when learnt in a meaningful context the new information is then more likely to be viewed as useful rather than an independent set of ideas. Although rather than just a single context, opportunities should once again be provided to practise in a variety of contexts where the new skills might be applied. These in turn should match the work environment (Garavaglia, 1993). "In other words the student is taught enough appropriate variations of the behaviour in order to apply it in a number of situations" (Reboy, 1991, p. 7).

Transference can also be aided by providing students with course material before any training starts (Garavaglia, 1993). There should also be specific transference activities built into the training programme itself (Hearn, 1995). These could include individual feedback sessions where trainers obtain a commitment from students to apply their new skills and knowledge (Broad & Newstrom, 1995). Trainers can also provide job performance aids such as posters etc. One important transference activity is a review of the 'real world' (Rossett, 1997). During such sessions students should be encouraged to consider what might influence their use of the training in the workplace. Trainers can then work through these barriers and help find ways for students to minimise their impact.

Taking this into account, it can be seen that PEACE training was probably well designed for transference, when presented in accordance with the training manual. Students were able to review the course material because all police officers were sent “A Guide to Interviewing” and “The Interviewers’ Rule Book” in 1992 and should have been provided with a workbook pre training. Post 1996 those attending PEACE courses should have been provided with “A Practical Guide to Interviewing”. Therefore, the written material could be examined before training. This material has good face validity and clearly explains how PEACE relates to practical interviewing and the workplace.

The experiential nature of the course (when presented properly) provides students with multiple opportunities to practise PEACE, in different settings (e.g. suspects, witnesses and victims), and using a variety of examples (different interviewee responses). Ideally, practice will take place in an interview room that both resembles and includes equipment similar to that found in police stations. The principles of interviewing (communication and memory) are provided in the pre course literature and should be reinforced using micro teach sessions (that is short didactic teaching segments of about 10 to 30 minutes in duration). However, the 18 month review by HMIC (1994) found that many trainers were reducing the amount of experiential learning and increasing the didactic input, probably reducing the possibility of transference.

Specific session(s) on transference is the one area of training transference not built into PEACE training course. Whilst ‘good’ trainers might include discussions on what happens on return to the workplace, such sessions were not specifically built into the course. This is a missed opportunity because many courses include officers of mixed rank, which in itself would aid transfer by getting different perspectives on the problem. Similarly, despite the huge amount of material provided to train PEACE, no posters or aide memoirs were included, though individual forces might have developed their own. The reason for the lack of posters etc. is not known, it may have been an oversight. However from various discussions with the original project team regarding the cost of providing “A Guide to Interviewing” and “The Interviewers Rule Book” it was more likely to have been due to financial constraints. Despite these omissions PEACE training has clearly been developed to try to maximise

transference to the workplace, when it is presented properly. However, training alone does not guarantee that new skills will be used in the workplace.

The role of supervision and training transference

There is a large literature on the impact of positive supervision increasing transference of training to the workplace (e.g. Brinkerhoff & Montesino, 1995; Garavaglia, 1993; Rossett, 1997). The police service did not ignore the importance of supervision and whilst PEACE was being developed Stockdale was commissioned “to determine the most practical way of ensuring that police supervisors and managers are operating effective quality control of interviewing” (Stockdale, 1993, p. 4). Stockdale examined the supervision and management practices in five police forces by conducting 145 interviews with officers of all ranks. Only two of these forces (Devon & Cornwall and West Yorkshire) had a management of interview policy although another force (Hampshire) encouraged such supervision but had no formal procedures. Of the other two forces, one had no policy (Metropolitan Police) and the other (Merseyside) appeared to have no official stance on interview supervision but did have an old policy that appeared to have been allowed to lapse. Stockdale noted that the quality of police supervisors varies enormously across all areas of policing and many officers rely on colleagues rather than their supervisors.

In her report Stockdale points out that there are two ways of examining interview quality: one is to consider the process, in other words the interview itself which should be in accordance with the PEACE model, and the second is to consider the product of an interview such as the written or audio record of the event. The current thesis is concerned with the process of obtaining an account the quality of which can be monitored and improved by internal and external procedures. “Internal quality control procedures include, direct supervision of investigative interviews, and the monitoring of tape recorded interviews with suspects. External quality control checks include, complaints from witnesses, victims and suspects, surveys of members of the public who have been interviewed (or those present at interviews), and feedback from the CPS/defence lawyers, the courts and authorised others (only if they listen to tape recordings of interviews with suspects)” (Stockdale, 1993, p. 27). With regards to the quality control checks, she goes on to point out that these can be obtained either reactively or proactively. Stockdale implies (probably correctly) that the police service tends to be reactive and rarely quantify the amount and type of complaints that they receive. She acknowledges that some forces are introducing proactive measures but not necessarily relating to interviewing.

Internal quality checks or interview supervision can be seen as one of the best methods of ensuring transference of learning. Garavaglia (1993) suggests that following positive supervision, new skills may still be used in the workplace 12 months later. In one corporate study Brinkerhoff and Montesino (1995) examined the impact of pre and post supervisor interventions on training transference. They found that those people who received supervisor interventions reported greater use of the training than those who did not have such support. In particular supervisor support provided significantly more 'encouragement to learn' and 'opportunity to use' the new skills/ knowledge. An interesting facet to this study was the fact that not all of the supervisors (who volunteered to do so) provided the relevant interventions. Supervisors had been asked to volunteer to provide before and after training support, the students were then (blindly) allocated to one of two conditions: supervisor support or no support. However, on receipt of the data it was found that a number of 'volunteer supervisors' had failed to provide either the pre training intervention, post training intervention or both, whilst a number of students in the control condition reported receiving such interventions when their supervisors had not been asked to do so, and indeed were ignorant of the study taking place. This suggests that support before and after training is something that is practised by 'good' supervisors as a matter of course.

There are, in fact, a number of ways in which supervisors can support the transfer of new skills to the workplace. First of all staff need to believe that the use of their new skills is supported, whether such support is just perceived or tangible (Brinkerhoff & Montesino, 1995). Tangible support includes the agreement of action plans to use the new skills (Garavaglia, 1993) or goal setting (Hearn, 1995) but most importantly staff need to be given the opportunity to put their newly learnt skills and knowledge into practice (Broad & Newstrom, 1995; Hearn, 1995), if necessary by changing performance expectations (Garavaglia, 1993). However, as found by Brinkerhoff and Montesino, the problem seems to be getting supervisors to actually carry out these tasks.

Brinkerhoff and Montesino (1995) suggest that an unpredictable environment is counter productive to the transference of learning. Such an unpredictable environment can be seen in the police service. Indeed Stockdale (1993, p. 23) identified 12 factors militating against interview supervision being carried out in

practice including “lack of time (or poor time management), inefficient use of personnel leading to management criticism of response times, pressures and priorities, lack of the necessary supervisory training, [or] the belief that being present in an interview, in the role of supervisor was contrary to PACE (the presence of a supervisor could be seen as oppressive)”. Paisley (1998) describes it more succinctly as the competing demands of administrative and operational commitments. He goes on to suggest that in order to encourage the supervision of interviews, this should be linked to staff appraisals. Linking the provision of supervision to appraisals is a common feature of the literature (Facteau et al., 1995; Broad & Newstrom, 1995). An experimental study by Moss and Martinko (1998) found that feedback was more likely to be provided by supervisors when there is an interdependence between staff and supervisors. In other words when managers performance and/ or wages are linked to the performance of their staff. Although this could be problematic in the police service where appraisals are often not valued, being viewed as a paper exercise (Stockdale, 1993) and whilst attitudes are changing, Paisley (1998) reported similar views by supervisors regarding appraisals. This may change in the future as the police service develops competencies for officers in different roles. Interviewing will definitely form part of those competencies and this may improve the supervision of interviews.

The problem with linking interviewing performance to a supervisor’s appraisal is the assumption that supervisors have the necessary skills and knowledge to assess investigative interviews, and thus develop their staff. Stockdale (1993) found that most supervisors she spoke to had received no formal interviewing training. This suggests that supervisors ability to evaluate interviews without further training is questionable. Indeed, Stockdale (p. 38) carried out a detailed Training Needs Analysis for supervisors and managers as part of her evaluation, identifying the following competency requirements:

Supervisors should:

- Develop oneself within the job role;
- Recognise and assess interview quality;
- Develop officers to enhance interviewing performance;
- Review and control contextual factors which impact on interview quality.

Managers should:

- Develop oneself within the job role;

- Implement and evaluate quality control procedures locally;
- Develop officers to enhance performance of direct supervision/ monitoring;
- Review/ respond to contextual factors which impact on supervision/ monitoring;
- Evaluate impact efficacy of quality control procedures using range of available indices of interview quality;
- Initiate action and/ or disseminate results to provide the basis for action to support/improve the quality and quality control of interviews.

It was proposed that these become part of specific training for supervisors and managers. This would take the form of self-learning material supported by written briefing material together with audio and video recordings. Supervisors and managers would be further developed by the provision of locally held workshops. The reason for providing supervisory material in this manner was to reduce the cost to the police service that sending supervisors and managers on classroom based courses would attract. Strangely, Stockdale does not recommend that supervisors receive 'interviewing training' prior to working through the supervisory material. This seems to be an important oversight bearing in mind her concerns regarding supervisors' poor knowledge of interviewing in the early part of her report. Fortunately, many police forces trained all staff up to and including Superintendents in PEACE interviewing. All the same, this does not alter the fact that without support from senior managers the transference of supervision training is unlikely to occur.

As a result of Stockdale's report some members of the original project team were retained and developed a self-learning package in line with her recommendations but for supervisors only. In addition, a rating instrument was developed (Supervisors Checklist – Appendix B) for supervisors to use when assessing interviews (and is discussed below). The self learning package was recommended to the police service in Home Office Circular No 21 (Home Office, 1992b). It is not known what pilot testing of the supervisor training material was undertaken despite Stockdale's recommendation that it should be. The numbers of police forces that actually took up the supervisors material is unknown but the 18 month evaluation by HMIC (1994) indicated that unless its implementation was managed better, it would suffer the same problems as PEACE training itself. The self learning package was subsequently developed into a two day workshop for supervisors and presented as "ideally suited to those officers who have already attended full investigative

interviewing training course incorporating the PEACE model” (National Crime Faculty, 1998b). During the two days officers were re-introduced to the PEACE model, provided with a feedback model, and given the opportunity to practise interview assessment and giving feedback. Whilst providing an overall aim and four learning objectives, the syllabus was sufficiently flexible to allow trainers to tailor the material to their own force policy, checklist etc., without altering the learning objectives of the course. Providing students with an opportunity to practise assessment and feedback during training helps improve the chances of the learning being transferred to the workplace. However, there were no specific exercises during the course for officers to discuss the barriers that they may face (outlined above) in implementing their force interviewing supervision policy. Surprisingly, the workshop syllabus does not include Stockdale’s report as a resource even though her performance indicators nicely complement and provide some form of definition for the items on the Supervisors Checklist. To the current author’s knowledge the workshop has never been evaluated to determine whether it actually develops supervisors’ skills and knowledge of interview assessment. Therefore, it is not known how effective this training is.

At the start of the current thesis there had been very little research on the supervision of investigative interviews. In England and Wales it is possible to assess officers’ performance when interviewing suspects because the process is recorded on audio tape. Paisley (1998) was the only person to date who had tried to evaluate PEACE interviewing supervision, or as he termed it the Tape Monitoring Process. Using a combination study of tape assessment, questionnaires, and interviews he examined the Tape Monitoring Process in two similar areas of Bedfordshire Police. The tape monitoring policy in Bedfordshire required that officers have three tapes a year assessed by a supervisor. Therefore, to determine whether supervision enhanced performance, Paisley examined three interviews each (to represent the period of a year) for a sample of 80 constables. All interviews were assessed using the Bedfordshire version of the Supervisors’ Checklist for the presence or absence of 33 performance criteria. Overall, he found the quality of interviewing across the three tapes for each officer to be inconsistent (with only slight performance improvement at one location). Unfortunately, Paisley did not provide any statistical analyses of the data, and did not, or was not able to, compare samples that had or had not received supervision in order to provide a better picture of the impact of supervision on practice. In response to his questionnaire, Paisley found that most officers and supervisors understood the purpose of the Tape Monitoring Process and viewed it

positively, although only 35% of officers reported having tapes assessed in accordance with policy with 11% of officers reporting not having any interviews assessed at all. These findings were in line with supervisors' responses to a similar question where only 40% of supervisors reported assessing interviews in line with policy and 27% reported conducting no assessments. There was, however, a large difference in the responses for supervisors between the two locations that were surveyed with 40% of supervisors at one site reporting that they did not assess interviews. As mentioned above, the reasons for this non conformance to policy included a range of competing administrative and operational demands. As with Stockdale and Elliston, Paisley suggested that "the way forward is clearly in the hands of senior management and the priority on which they place the development of investigative interviewing skills" (p. 216).

Since Paisley's examination of supervision and interviews with suspects, there has been a growing literature on the effect of ongoing supervision for those who conduct interviews with children who have allegedly been abused. Orbach, et al. (2000) reported that investigators who are trained to interview children in line with current research and practice, soon revert to using previous interviewing behaviours (e.g. focussed questioning as opposed to using open-ended questions). In order to overcome this problem they developed a structured protocol for interviewers to use when interviewing children. Orbach et al (2000) assessed this protocol by examining protocol and non-protocol interviews conducted by youth investigators in Israel. Of particular interest was the fact that not only were the interviewers trained but they were also provided with ongoing support in the form of monthly group and individual feedback sessions. As a result of this Orbach et al. (2002) found significant improvements in practice, which they said "was achieved by dint of extended and intensive training, monitoring, and feedback" (p. 19). In a later study Lamb, et al (2002a) examined child forensic interviews conducted before and after training. There were four training conditions in this study all of which included information on the theory behind the recommended interviewing practices. The conditions were; (i) conceptual training only, (ii) conceptual training plus structured modules which they were able to practise, (iii) as condition two plus monthly all-day group meetings together with written and verbal feedback on field interviews, and (iv) as condition (iii) but without the personal feedback. It was found that interviewers in those conditions that received no continued support fared little better than before training. Once again, it was continued support that improved performance, though, as Lamb et al. point out, such continuing support is expensive.

Whilst indicating that continuing support, or supervision, is an important aspect of developing interviewing skills, the above studies compared interviews that were conducted by the same interviewers pre and post training. The problem with this methodology is that it does not provide us with information regarding what happens after the support finishes. In particular, whether or not the good practice continues or diminishes over time. In order to address this question Lamb, Sternberg, Orbach, Esplin and Mitchell (2002b) examined police officers' interviews of allegedly abused children in the USA. Half of the interviews were conducted over a one year period during which the interviewers attended regular group training sessions (every four to eight weeks) and received detailed feedback on their interviews. The other half of the interviews were conducted during the six months immediately after the support finished. It was found that the withdrawal of support resulted in a decline in the use of good practice, together with a reduction in the quality and quantity of information obtained from the children. These studies clearly add further support to the argument that training alone will not substantially improve police officers' interviewing skills. The transference of good interviewing practice from classroom to workplace needs to be properly managed and then supported in the workplace.

The management of training transference

Stockdale (1993) warned that training alone would not provide the necessary supervision of interviews:

Senior management must accept responsibility for ensuring that learning becomes incorporated into standard work practices, by encouraging, supporting and monitoring the use of new behaviours in the workplace. This strata must also take responsibility for changing organisational structures or procedures which conflict with such developments. (p. 37)

The police service did not seem to heed this advice because two years later Elliston (1995) in his evaluation of Bedfordshire Police made a similar recommendation.

To ensure that new skills and knowledge are utilised in the workplace transference needs to be considered when training is in its embryonic stage. In particular, training must be aligned to the strategic outcomes of the organization (Brinkerhoff & Montesino, 1995). Failure to do so is one of the foundations of poor transfer. Training not linked to an organizations strategy often doesn't get supported in the workplace. Elliston (1995, p. 10) said that management must be actively supportive of the new

approach and be seen to "walk the talk". Whilst research from occupational psychology (Moss & Martinko, 1998, p. 270) has found that managers don't provide feedback unless "leaders' rewards are related to subordinate performance". Therefore, it seems likely that police managers and supervisors will not actively support a strategy (in this case interview supervision) unless it relates to their performance. Stevens (1998) actually spoke with police managers to gauge their view of interview supervision, though in order to preserve anonymity of the interviewees their responses were synthesised. He found that senior divisional managers and ACPO officers appeared to be paying lip service to the supervision of interviews, and suggested that this was because no one takes unit commanders to task regarding interview supervision, so they don't press their supervisors. As one manager said it "is the sort of scheme that sergeants ought to be happy to take on board, but they don't. It is perhaps indicative of a wider malaise." (p. 85). Whilst another's view was "No-one is taking me to account for it, if I was I would be kicking ass,. I don't think the force thinks there's any value in the policy" (p. 85). It seems that Elliston (1995) was correct when he wrote "if it doesn't get measured it doesn't get done" (p. 8).

All of which suggests that police managers need to determine the value that they place on PEACE training and the supervision of interviews, and if they continue to believe it is important, demonstrate that they do. This could be achieved by the use of an implementation strategy that "would define the desired outcome, provide overall guidance and direction and enable the implementation process to be defined" (Elliston, 1995, p. 10). From the 1994 HMIC evaluation it appears that two thirds of the forces surveyed had some form of strategy regarding who should be trained and the time frame for completing such training. However, there was no information concerning the full extent of these strategies and whether or not managers were encouraged to support the implementation of PEACE. The need for senior management to support the transference of new skills is a consistent theme in the literature on training transference. Senior managers must demonstrate their support for new working practices in the workplace (Garavaglia, 1993; Rossett, 1997) and not just by opening training courses. They need to ensure that new training is clearly linked to the organisations' goals and that systems are put in place (e.g. regular supervision) and adhered to. Indeed, Brinkerhoff and Montesino (1995) argue that training needs to be tightly linked to performance based on the goals and strategies of a business.

Bearing in mind the initial reasons for the development of PEACE training (discussed earlier), PEACE clearly fits the strategic aims of Government and the police service to improve police interviewing skills. Where the implementation of PEACE seems to have fallen down at a strategic level is the lack of explicit links to the business goals and strategy of the police service. Perhaps this is because communication skills are such an fundamental (though possibly invisible) part of policing, senior managers are unable to see how they support their strategic objectives. Indeed this author's own discussions with managers at all levels of the police service have repeatedly found that they do not see how PEACE training can help them meet either Government or locally set targets. What affect this attitude has on interviewing practice is not understood but clearly it does not encourage or aid the transference of PEACE to the workplace.

Regrettably there is another factor involved in the supervision of investigative interviews that does not show up in the literature concerning transference of learning. As a result of judicial decisions in England and Wales the police are required to provide details of any unused material concerning a criminal case that goes to court. This includes the details of any evaluation (supervision) of interviews that had been conducted by police supervisors. Many police officers and their senior managers believe that the supervision of interviews does not enable the police service to improve performance and deal with potential problems before a case arrives in court. Their view is that the supervision of interviews is tantamount to supervisors doing the defence's job for them by highlighting weaknesses in the interview process. Consequently, in 1995 when the second PEACE project team lobbied ACPO to make the supervision of interviews mandatory, they failed to get sufficient agreement from Chief Officers of Police. Thus whether or not the supervision of interviews took place in a police force was left to the individual discretion of Chief Officers. It is, therefore, not known what percentage of police forces currently require their supervisors to assess investigative interviews.

The assessment of interviewing skills

To facilitate the supervision of interviews a checklist was developed by the original project team which was based on the performance indicators identified by Stockdale (Stockdale, 1993). From personal communication with the team leader the Supervisors Checklist underwent wide pilot testing which was favourable; unfortunately the details of this work are not in the public domain. The checklist was

updated in the late 1990s in response to feedback from the police service across England and Wales, since then it has not been evaluated. Indeed, the only known evaluation of the supervision process is that by Paisley (1998) discussed above and this study used a local version of the Supervisors Checklist. The current version of the Supervisors Checklist (National Crime Faculty, 1998a) has 44 items and space for outlining what the interviewer did best, what areas could be improved, and an action plan. It provides an easy to follow structure based on PEACE. Generally, the individual items can either be recorded as Yes, No or Not Observable/ Not Applicable. There is also space for supervisors to provide evidence for rating. Overall, the checklist is geared towards quantitative rather than qualitative assessment, and is not based on competencies. Indeed, it is the recording system that is the problem with the checklist because, in the main, supervisors can only record whether a behaviour is present or missing (indeed this was the manner in which Paisley described his data). However, it is more likely that, rather than being present or not, interviewers will carryout a particular behaviour either more or less well. For example, Item 7 (Identifies self and explains role) or Item 17 (Explains reason for interview) are likely to be carried more or less well rather than being present or not. This issue affects all except three items on the checklist (relating to questioning skills, listening skills, and overall style) where a three point Likert scale is provided. Indeed, it is only these three items that have any guidance concerning what each point on the scale constitutes. While the lack of guidance may not be a problem when deciding whether a behaviour is present or not, in reality a lack of definition means that there is unlikely to be any consistency regarding whether a behaviour is sufficiently present to be regarded as present. Consequently, it is probable that the Supervisors Checklist in its current form is a rather blunt tool for assessing and developing performance because it does not provide guidance for identifying good or poor behaviour or allow assessors to assess staff at a variety of performance levels.

One method of overcoming this problem is to base the assessment instrument on actual behaviours that might be expected to be found in a PEACE interview and grade them on a scale from good to poor. Smith and Kendell (1963) proposed an assessment technique based upon example behaviours. Their proposal was to obtain, from people knowledgeable in the field, example behaviours that span the whole range of the dimension to be assessed. Rather than just providing examples of extreme behaviours of the dimension to be assessed such as: "Clearly and accurately gives the caution" and "Mumbles caution incoherently", there should be

other examples of behaviour in between such as: "Accurately presents the caution but isn't clear" or "Hurriedly gives the caution". (These extra samples provide a range of behaviours upon which to base an assessment, overcoming the problem of supervisors frequently not observing extreme examples of a particular behaviour (Latham & Fry, 1988; Smith & Kendell, 1963) and therefore finding difficulty in providing an assessment.) Each example is anchored at a specific point on the scale thus providing a range of different behaviours upon which to base an assessment. Such scales are known as Behaviourally Anchored Rating Scales or BARS. In order to ensure content validity of the scale each dimension or area of assessment, together with its example behaviours, are retranslated during the development process. Retranslation is accomplished by a second group of people who are presented with lists of the examples which they have to place in the various dimensions and pin to a point on the scale. However, it must be remembered that the final scale provides examples of the behaviours that might be found rather than a definitive list.

BARS are not perfect either. One of the main criticisms raised by Latham (1988) relates to collating of evidence in support of any assessment using BARS. However, this criticism relates to the collection of data (in diary format) in support of staff appraisals. This would not be a problem when assessing interviews because the data are provided on the tape. In addition, he suggests that having identified the behaviours, assessors may have difficulty assigning them to a specific dimension and then anchoring them at a point on the scale. Of course, as Latham and Fry (1988) point out, rating instruments are only as good as the person trained to use them. A more worrying criticism is levelled by Murphy and Constans (1987) who found that BARS can be a source of rating bias. In their experimental study they manipulated the BARS scales by including or omitting examples of good or poor behaviours that were actually present in the observed event. It was found that raters were influenced more by observed behaviours that were also in the scale than those which were not included. They suggested that this may be because (a) behavioural anchors bias the retrieval of behavioural information, or (b) more weight was given to behaviours specifically mentioned on the scale. From these findings Murphy and Constans argue that the procedures for scale development suggested by Smith and Kendell (1963) are rarely adhered to and suggest that when developing a scale more care needs to be taken to ensure behaviours are representative of the typical performer. Indeed, the fact that BARS behaviours are examples and the need to adhere to the original development format are two of the main issues addressed by

Bernardin and Smith (1981) when they clarified some of the issues of developing and using BARS. Nevertheless, as mentioned by Latham and Fry (1988), it is not just the scale that needs to be correct, but those who are going to use it need to be trained to use it properly. Such a BARS scale might provide a more flexible assessment tool for evaluating PEACE interviews than the current checklist.

Research Aims

The aim of the current research is to provide a sound evaluation of the current status in England and Wales of PEACE interviewing in order that police managers can decide on the most effective method(s) of continuing to develop the use of PEACE interviewing in the workplace. In order to achieve this aim it is necessary to:

- 1) Identify the current manner of PEACE training, the numbers of police officers trained to use PEACE, and the number of forces supporting the workplace supervision of interviewing,
- 2) Examine the use of PEACE when interviewing suspects and the impact of supervision on that process,
- 3) Examine the use of PEACE when interviewing witnesses and victims, and the impact of supervision on that process,
- 4) Determine the process that is undertaken when interviewing the witnesses and victims of crime, and
- 5) Develop an alternative assessment instrument for interviews with suspects that will provide better guidance for those who supervise PEACE interviews.

STUDY 1 – A SURVEY OF PEACE TRAINING IN 1998

Background

As stated above, in response to a growing concern about police interviewing practices during the 1980's the Home Office and the Association of Chief Police Officers (ACPO) developed an interviewing framework for police officers based on the mnemonic PEACE. In 1993 the Home Office and ACPO recommended the PEACE model of interviewing and its five day experiential training course as the basic standard of for police interviewing across England and Wales (Home Office, 1993). Five years later (i.e. in 1998) it was important for the police service to identify the then current position of PEACE training. Prior to conducting a National evaluation of PEACE it was felt necessary to determine the extent to which members of the police service of England and Wales had been trained to use this style of interviewing. In addition, it was important to establish which police forces were actually supporting the supervision of interviews so that comparisons of supervised and unsupervised interviews could be made during the main evaluation.

The last National evaluation of PEACE was conducted 18 months after its introduction and was conducted by Her Majesty's Inspectorate of Constabulary (HMIC, 1994.). This review examined: (i) course length, (ii) additions and modifications, (iii) strategy for training program, (iv) who is trained, (v) training priorities, (vi) use of pre course work book, and (vii) training of trainers. Of particular interest for the current study are items (i), (iii) and (iv). Strategy related to the numbers of staff trained and the time scale for completing PEACE training. In relation to the numbers of staff trained, only 38 of the 43 forces provided data. Using police force establishment figures from the 1994 Police Almanac HMIC found that on average 13% of officers were trained in PEACE interviewing (Median = 13.4%), with a range of 2% - 28.5% (one force's response was 42%, this figure has been ignored in this discussion because it is not known how it was arrived at). Most forces anticipated completing PEACE training of all officers within three years (37%, n=17), whilst 4.7% (n=2) were completing training at the time of the survey. However, 23.3% (n=10) had no strategy for completing PEACE training, and 7% (n=3) provided no information regarding their strategy. 14% (n=6) saw completion in five or six years, whilst the remaining 11.6% (n=5) had various targets such as training all staff in two years, ten years, or no time frame, setting yearly targets, or integrating PEACE into other courses.

The types of officers who HMIC (1994) were found to be targeted for PEACE training are displayed in Table 1.1. As can be seen, police forces decided upon a wide range of strategies when determining which staff should be trained to use PEACE. The largest group (when added together) (35%) were made up of constables (PC/ DC) and sergeants (as would be expected). However, many forces decided to train most or all staff (23.2%) or all ranks from PCs to Superintendents. The 'other' category represented forces that targeted probationers, probationers and CID officers, and PC's and CID which did not neatly fit into the other categories.

Table 1.1 Percentage of PEACE trained staff by rank

Rank	No. Forces	Percentage
PC	6	14.0%
PC / DC	3	7.0%
PC - PS	6	14.0%
PC - Insp	7	16.3%
PC - Ch Insp	4	9.3%
PC - Supt	5	11.6%
All staff	5	11.6%
No information	4	9.3%
Other	5	11.6%

Of those forces who responded to the survey all but six (i.e. 8%) had some form of priority system. It was found that the highest priority was given to trainers (40%, n=30) and those attending CID courses (33.3%, n=25). Indeed, these were often presented as a joint priority. The remaining 18.7% (n=14) reported a range of priorities including; constables, operational officers, probationers, sexual offences investigators, etc. It is interesting to note that only one force specifically mentioned first line managers as a priority.

When asked about the PEACE course, it was found that only eight police forces were training PEACE in accordance with the National guidelines and training material. A number of forces had altered the length of training as was discussed above. Other issues arose concerning the way the PEACE was being delivered to the police service at that time. These could be grouped into two areas, (i) changes to the course curriculum/ material and (ii) trainer skills. It is the first area that is of interest for the current study because changes to the curriculum/ material suggest that some areas of the original course were being missed out. The HMIC review identified that trainers found difficulty with the Cognitive Approach, they also increased input on (a) 'no comment' interviews with suspects and (b) the Police Station Guide for Legal Advisors (Shepherd, 1992). The second PEACE project team (implemented as a

result of the HMIC review, 1994 – 1996), and later the National Crime Faculty, advised that such material should not be inserted to the detriment of experiential learning. However, with the additional material focusing on interviews with suspects (this being of most interest to many police officers), it is possible that the training and practice of interviewing witnesses and victims was being reduced. This was certainly the case at one of the locations visited during the HMIC review (HMIC, 1994). In reality, at this time (i.e. 1998) it was no longer clear how much time on PEACE courses was allocated to the interviewing of suspects, of interviewing witnesses, and supplementary material. The possibility of less time being spent on practising witness interviewing is important because it may affect any evaluation of this aspect of PEACE interviewing.

Unfortunately, the HMIC review did not consistently search for or record details regarding whether or not forces were pursuing a policy of interview supervision. The accompanying data supplied by the evaluator only mention supervision in relation to two of the surveyed forces, one of which indicated that they were considering such a policy and the other indicated that they definitely would not be supervising investigative interviews. There was no mention of supervision in the data from the police forces that were actually visited. This is a surprising finding since the Home Office had urged Chief Officers to encourage such supervision in early 1992 (Home Office, 1992) and had commissioned Stockdale (1993) to examine this very issue. She highlighted the fact that training alone would not ensure the use of new interviewing skills in the workplace, concluding that “quality control procedures to investigative interviews has an important role to play in maintaining and improving the quality of all categories of police interview” (p. 50). As a result of Stockdale’s report, the police service developed distance learning material for supervisors, which the HMIC evaluator could see “heading down the same road as the PEACE pack if the reins are not gathered up” (HMIC, 1994, p. 25). However, when the second PEACE project team tried to obtain an ACPO mandate for compulsory supervision of interviews they failed, and such supervision remained at the discretion of Chief Officers. This was largely because ACPO opinion had been split between interview supervision being a positive step, or it providing more opportunity for defence council to attack the police investigation (based on the idea that the report of any supervision session would be disclosed to the courts as unused material). What the team did do was insert advice in ‘Investigative Interviewing: A Practical Guide’ (NCF, 1996) regarding the importance of supervision. Nevertheless, at the start of the current research there were no data regarding the numbers of police forces that had enacted

policy requiring the supervision of investigative interviews. This information was imperative in order to examine what effect such supervision actually had on interviewing practice. A considerable amount of time and money had been spent on PEACE training by 1998. Indeed, Gaspar (1997, p. 18) suggested “that the commitment to training was unprecedented ... there are few comparable exercises of similar size”.

For the evaluations of PEACE to be reported in this thesis, it was important to establish an understanding of where PEACE training was, at the start of the current research program in 1998. In particular the author wanted to establish the:

- (i) current length of PEACE training courses,
- (ii) numbers of officers trained to interview using PEACE, and
- (iii) extent to which the supervision of interviewing was being conducted.

These became the aims of the first study of this thesis.

Method

This study consisted of a postal questionnaire survey to all police forces in England and Wales in the summer of 1998.

Participants

The participants were the training managers of every police force in England and Wales (n=50). Of those questionnaires 38 were returned, giving a response rate of 76%.

Materials

The questionnaire for this survey was developed in consultation with the National Crime Faculty (NCF) and consisted of 16 questions grouped into three broad categories: (i) What form does PEACE training take across England and Wales?; (ii) How widespread is interview supervision across the country?; and (iii) What form (if any) does supervision take? The questions were chosen with two criteria in mind, the first was to update the previous HMIC review (HMIC, 1994) discussed previously, and the second was to provide information for the police regarding numbers of officers training to use PEACE and the extent to which supervision was being conducted across England and Wales. The initial questions asked for details of the numbers of officers who were PEACE trained, the selection criteria for attending PEACE courses, and the length of the PEACE course, so that differences from the 1994 review could be identified. In addition, two internal reviews of PEACE conducted by this author together with feedback being received by the NCF had

indicated that less time was being spent interviewing victims and witnesses during the course. Therefore, respondents were asked to provide details of the time that they spent on training for interviewing suspects and how long they spent on interviewing witnesses.

As has been discussed before, the supervision of interviews was intended as a core element of developing PEACE interviewing skills. However, little research had been conducted regarding the extent to which supervision of interviews was being conducted across England and Wales, and the author's experience working with the second PEACE project team suggested that few forces had a policy regarding interview supervision. Eight questions were asked in relation to the supervision of interviews, these were chosen to determine which police forces were conducting interview supervision, the form that any supervision took, who conducted the supervision, and its sampling rate. Because policies change over time, respondents were asked whether there were any future plans to implement a policy regarding interview supervision. In view of the reluctance of some forces to undertake supervision, because of the believed impact on any subsequent prosecution, respondents were also asked whether they conducted supervision on ongoing or completed cases, and the type of interviews that were supervised (suspect, victim, or witness). Research has demonstrated (Brinkerhoff & Montesino, 1995) that some supervisors provide support to their staff whether it is a policy of their workplace or not, therefore respondents were asked whether supervision took place even though no policy was in place. A final question asked whether the recipient's force would like to assist with the evaluation project (studies 2 and 3 of the current thesis). A copy of the final questionnaire can be found at Appendix C.

Procedure

In order to maximise the response to this questionnaire it was mailed under a covering letter from the head of the National Crime Faculty (NCF), Bramshill, because the NCF has overall responsibility for PEACE interviewing. Indeed responses were initially collated by NCF staff after which follow up telephone calls were made in order to further improve the response rate. In this way the (then) current trends in PEACE training and supervision were identified, as well as possible locations for the collection of interviews for later phases of the research reported in this thesis.

Results

Who completed the questionnaires?

It was important to determine the expertise of the officers who completed the questionnaire in order to determine if they were within the type of sample sought. Figure 1.1 demonstrates that the respondents worked as PEACE trainers, as the force training manager, or in crime training and interview development. This indicates that they should have a good understanding of PEACE training within their force.

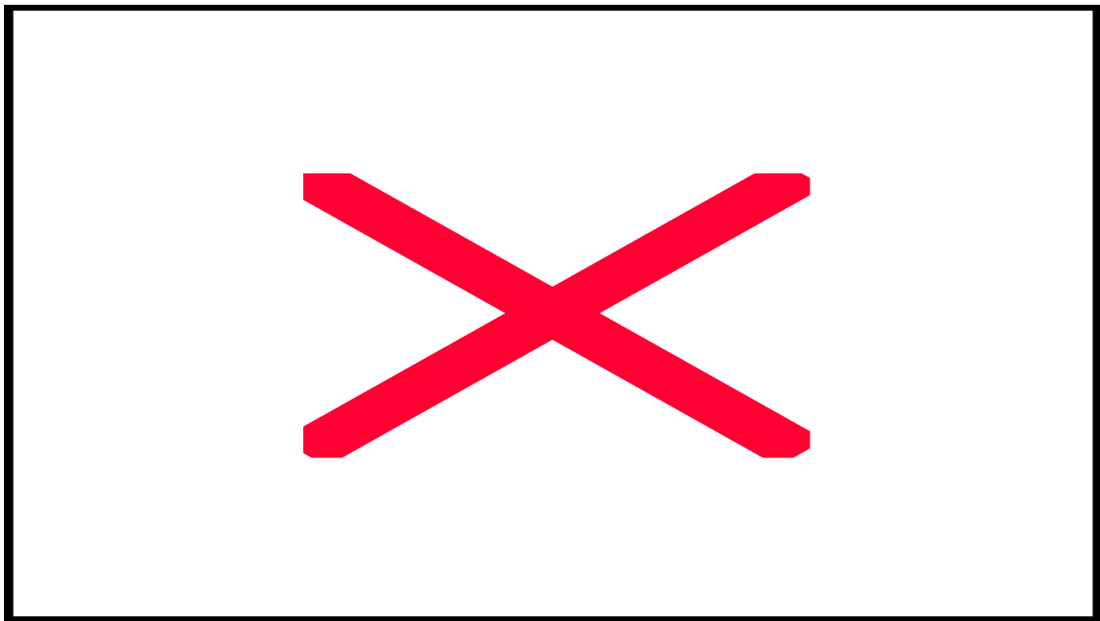


Figure 1.1 Respondents role

Percentage of officers PEACE trained

Figure 1.2 presents information on the percentage of officers trained in PEACE. The responses indicated that the mean proportion 70%, (i.e. of all 37 forces who responded to this question on average 70% of all officers were trained in PEACE at the date of completing the questionnaire). As can be seen in figure 1.2, the range was 5% to 100%, with 57% of officers (n = 21) having 80% (this was also the median) or more of their staff trained in PEACE.

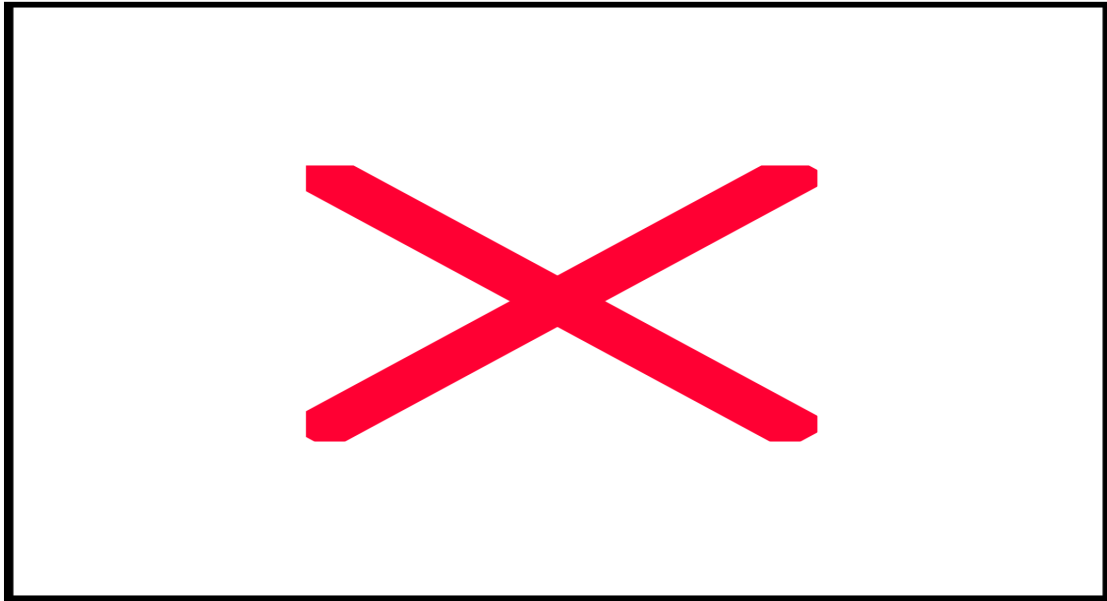


Figure 1.2 The percentage of officers trained in PEACE in 1998.

The PEACE course

Apart from identifying the percentage of officers trained, it was thought necessary to determine what the PEACE training course entailed across the country, as the 1994 review found that most forces had tailored the National Package to their own regional requirements: (not always appropriately).

Seven of the forces conducted PEACE courses which were four days in duration, whereas the remaining (31) ran five day PEACE courses. As illustrated in figure 1.3, more time was spent on training how to interview suspects. On average two days were reported as being spent on training the interviewing skills of witnesses/victims (range 1 - 2.5), in comparison to a mean of three days (range 1 - 4) spent on the skills necessary to interview suspects.

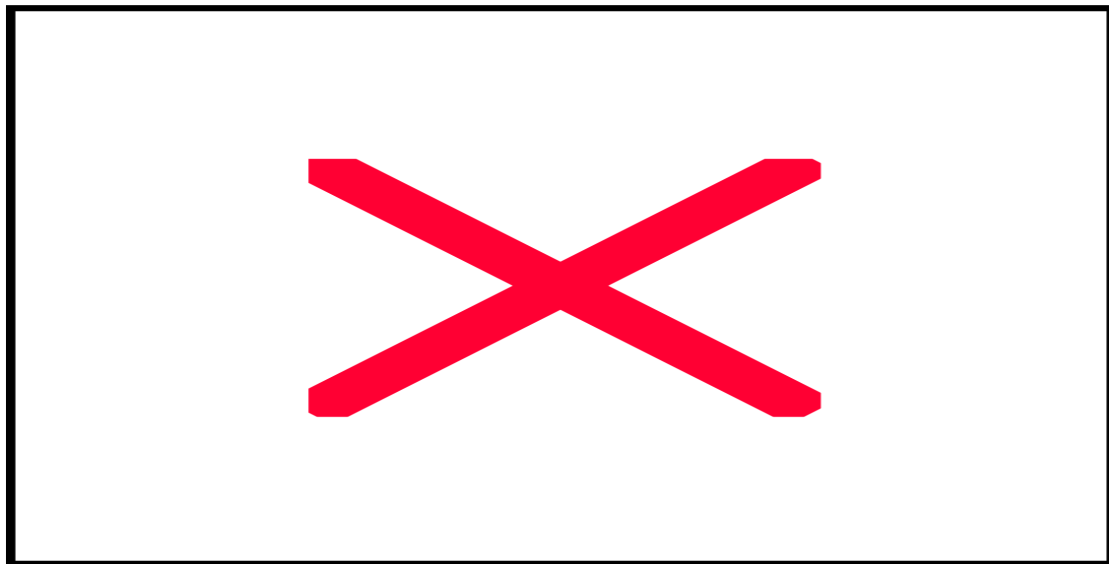


Figure 1.3 Time spent training to interview witnesses/victims and suspects.

Selection criteria used for selecting officers to attend a PEACE course

34% (n=13) of forces noted that all officers were put in for PEACE courses, 29% (n=11) trained all operational officers, 31.6% (n=12) specified rank, and 5.3% (n=2) said that they did not have a criterion. Of those who specified rank, one force noted Constables who were supervisors (usually tutor constables), five forces specified Constables and Sergeants, five noted Inspectors, Sergeants and Constables, and one specified Chief Inspectors, Inspectors, Sergeants and Constables. In addition, 26.3% (n=10) of forces noted that a priority/needs system was in operation for selection. Two of those forces specified Criminal Investigation Department and two specified supervisors, the remaining six forces provided no further details.

Forces with an interview supervision policy

49% (n=18) of the responding forces had a supervision policy in place and 51% (n=19) did not. Of those forces which did not have a supervision policy, seven gave further information. Of these seven, two had a policy in preparation, three had a voluntary system and a policy under review, one used a discretionary system, one run a course for supervisors, and only one mentioned no policy due to disclosure issues. It was noted, however, that of those who did not have a policy 11 reported that they were reviewing this.

Who are the supervisors?

Figure 1.4 depicts the rank of the officers who were conducting the supervision of interviews in England and Wales. Three forces with interview supervision policies mentioned that they train their supervisors. It can be seen from Figure 1.4 that interview supervision is rank based and the majority of supervisors are Sergeants followed by Inspectors.

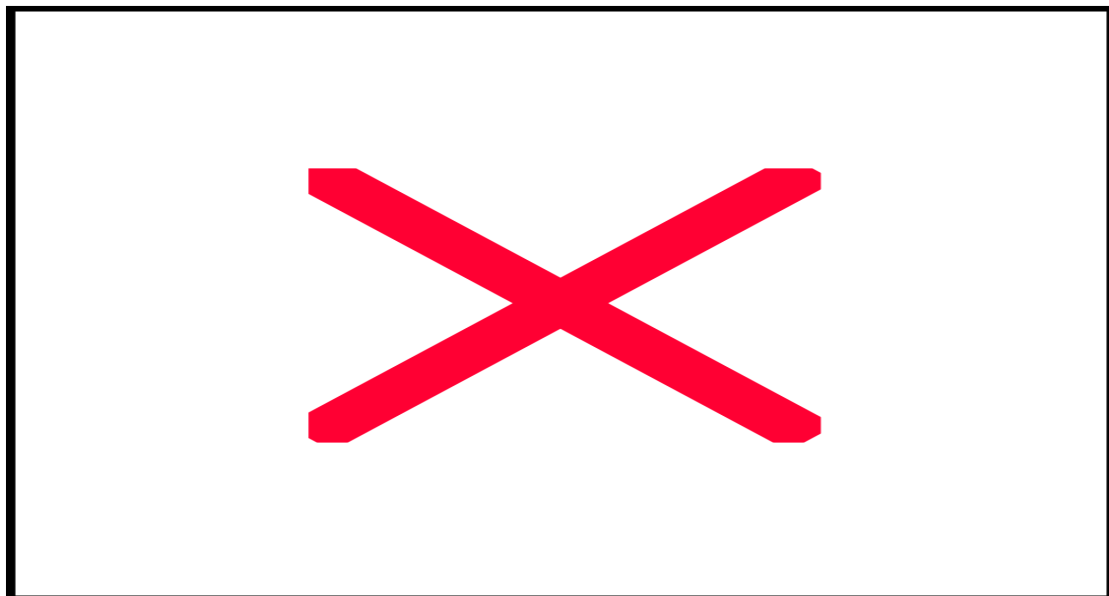


Figure 1.4 The rank of interview supervisors.

Sampling rate for the supervision of interviews.

As can be seen in table 1.2, of those forces with no supervision policy the majority used no fixed sampling rate for the supervision of interviews and left it up to individual supervisors. Of those with a policy, the majority used two interviews per officer per year. However, overall there existed no standardised practice with great

variability from force to force, some using rates per interviewer and some rates per supervisor.

Table 1.2 Frequency of interview supervision

Rate of Supervision	Supervision Policy	No supervision
None	0	1
Random	0	7
1 per month	1	0
2 per month	1	0
1 per supervisor per month	0	1
2 per supervisor per month	2	0
1 per 6 police officers per month	1	0
2 per month per section	1	0
1 per police officer per year	3	0
2 per police officer per year	7	1
3 per police officer per year	1	0
4 per police officer per year	0	1
5 % per police officer	1	0
Sgt- 1 per 4 interviews	0	1

Type of interviews being assessed.

The type of interviews being assessed as part of supervision across England and Wales, was another area of interest. 29 forces examine interviews of live cases, two did not. In addition, 23 forces examined completed cases, whereas five did not. Respondents were also asked whether their forces examined interviews of witnesses and victims as well as those of suspects as part of the supervision policy. It was found that the majority only examined interviews with suspects (n=33), although ten indicated they examined interviews with victims (one qualified this as interviews with rape victims) and nine the interviews with witnesses (one qualifying this as child witness interviews).

Discussion

As anticipated, the data from this study provided insights into PEACE interviewing training five years after its inception. The study also supplied an important foundation for the more extensive evaluation of PEACE interviewing that is presented later in this thesis.

The survey of training and supervision practices across England and Wales resulted in a response from a wide range of police forces. This was further enhanced by the

information being provided by staff who seemed to have a thorough grasp of PEACE interviewing within their force. During the four years since the HMIC review (HMIC, 1994) the numbers of officers trained in PEACE interviewing (per police force) had risen from an average of 13% to the 1998 average of 80%. A phenomenal achievement which underlines Gaspar's (1997) comment regarding the immense effort that has been expended by the police service trying to improve police interviewing skills.

PEACE training was being undertaken in 1998 with more forces specifically indicating that they are training all officers or all operational officers than in 1994. Fewer forces indicated that they had a priority system in place, which is not surprising considering the vast numbers of officers already trained. None of the forces that did have a priority system mentioned trainers, although two continued to prioritise CID officers and two mentioned supervisors. PEACE training was mainly reported as being five days in length – the recommended length of a standard PEACE course. As in 1994, a few forces reported providing four day courses although none reported presenting a two day course in the current study. What is worrying though is that respondents reported spending an average of two days training the interviewing of witnesses and victims and three days on interviewing suspects. Often, the extra time is used to increase the input on the law and procedure relating to interviewing the suspects of crime (confidential reports; HMIC, 1994). These figures tend to support the earlier proposition that interviewing victims and witnesses is being, to some extent, marginalised. In addition, Figure 1.3 demonstrates that 46% of forces reported allocating three days or more to the interviewing of suspects, whereas 43% reported allocating one and a half days or less to the interviewing of witnesses and victims. This adds further weight to the proposal that forces are increasing input on the interviewing of suspects to the detriment of the skills needed for the interviewing of victims and witnesses. It could be argued that because the two types of interviewing are taught one after the other on the same course, many of the skills are relevant to both types of interview and the shorter time spent on interviews with victims and witnesses is of no consequence. However, it must be born in mind that time allocated to each type of interview was proposed so that each student would have an opportunity to participate in two practice interviews. In addition, whilst victim and witness interviews adhere to the PEACE model, students are taught to use the Cognitive Interview during this stage of the training, a technique that uses a different approach to that taught for interviewing

suspects (Conversation Management), and has been found to be difficult to master by police officers (George, 1991; Memon et al., 1994).

The responses regarding the supervision of interviews were encouraging (considering the lack of support for a national policy in 1994) with nearly half of respondents reporting having a policy concerning the supervision of interviewing. A further 30% of forces reported that they were actively reviewing their stance on the supervision of interviews. As stated above, providing workplace supervision of interviews not only helps develop the interviewing skills of staff, but is also viewed as important for encouraging the use of newly acquired skills in the workplace. However, most respondents reported that their forces only supervised interviews with suspects. This is understandable because such interviews are recorded on audio (and in some instances video) whereas interviews with victims and witnesses are usually not (except for video recorded interviews with children). The lack of such supervision (with victims and witnesses), together with the fact that not all forces have implemented a supervision of interviewing policy (and the inconsistent sampling rates), indicate that there is still some improvement to be made in this area. These improvements will be particularly important when such assessments are integrated into the staff appraisal system.

Conclusion

In conclusion, this survey demonstrated that the vast majority of police officers across England and Wales have been trained to use PEACE. There is some indication that training has become focussed on interviewing suspects as opposed to the balance of suspects and witnesses/ victims set out in the original course. Consequently, officers' skills to conduct the later interviews may not have improved, although there has been very little research on actual interviews with real victims and witnesses to confirm this. However, it has been encouraging to note that more than half of the police forces surveyed now have a policy to supervise investigative interviews because this should aid the transference of PEACE to the workplace. The frequency of such supervision varies from force to force probably because there is no national policy.

STUDY 2 – THE IMPACT OF PEACE INTERVIEWING ON POLICE INTERVIEWS WITH SUSPECTS.

Introduction

Interviewing persons suspected of committing crime is a core function of the police in England and Wales. To improve officers interviewing skills the Home Office and Association of Chief Police Officers (ACPO) introduced a standard model for such interviews in 1993. This model incorporates the presentation of necessary legal information together with good interviewing practice, and good practice for obtaining and examining an interviewee's account. The model was constructed around the mnemonic PEACE, which stands for Planning and Preparation, Engage and Explain, Account, Closure, and Evaluation (see 'The PEACE model of interviewing' for a full description). As was previously discussed, an initial evaluation of PEACE training (McGurk et al., 1993) found that it improved officer's interviewing skills and knowledge except in relation to covering points to prove, and closure which was not examined. Consequently it was recommended for use by officers throughout England and Wales.

Since its inception a number of studies have been conducted into the effectiveness of PEACE, these were discussed earlier in relation to 'The impact of PEACE training'. Three of these studies examined real interviews with suspects and presented the data in a comparable format. The results from these studies are presented in Table 2.1. Hall (1997) developed an 18 item assessment instrument which focussed on the skills essential to interviewing in accordance with the PEACE course. Hall rated the interviews of trained and untrained officers based on five levels of skill. Table 2.1 shows that most of the trained officers were rated as being from highly skilled to average, whereas the untrained officers were less skilled or poor. This study found no rapport building at any level of skill whilst the use of summaries and testing of the account became worse as skill level reduced. Indeed those rated as average and below demonstrated poor skills generally with only half of the officers explaining the caution, a predominant use of closed questions, and poor interview structure.

Paisley (1998) assessed three interviews each from 40 officers (from two different areas) that were conducted over a year. The assessments were conducted using his force checklist (an altered version of Appendix B), an instrument that allows a supervisor to record whether a legal requirement or interviewing behaviour was

present or not (33 items in total), rather than providing an assessment of how well the behaviour was conducted. Paisley suggested that only items that were properly present in over 90% of the tapes could be deemed as being conducted properly and these are the few (5 at location 1, and 4 at location 2) items presented as nearly always being present in Table 2.1. Whereas, those items not carried out regularly varied in being present from 1.53% to 19.44%. Interestingly, the behaviours that were not usually present were similar at both locations, including the important communication skill of explaining the interview process. A behaviour that Hall did not include in her assessment instrument. It is instructive to examine Paisley's data for items that were present in under 50% of the interviews. This included summarising the interview at the end and summarising sections of the account, at both locations. Whilst an explanation regarding free legal advice was often missing at location 1, and similarly the caution at location 2. Two other items were found in just over 50% of interviews, at location 1 it was giving the caution (54.25%) and at location 2 it concerning the depth of probing the account (53.33%).

Table 2.1 Summarises the results of three studies that have examined the impact of PEACE training on interviews with suspects

Study	Hall (1997)	Paisley (1998)	Rigg (1999)
Sample	30 Trained and 30 Untrained	120 Trained	66 Trained
Procedure	Assessed tapes and rated individual interviewers.	Assessed 3 interviews from each of 40 officers at two locations over 1 year.	Assessed tapes only for Engage and Explain and Account for presence of behaviours across sample.
Results	<p>Trained - 10% highly skilled, 23% skilled, 33% average, 31% less skilled, 3% poor</p> <p>Untrained 3% skilled, 20% average, 37% less skilled, 40% poor</p> <p>High skilled – explain caution, good legal aspects of introduction, good structure, obtains and tests account, uses summaries, and allowed to add, alter, correct at end. No rapport</p> <p>Skilled – half explained caution, good legal aspects of introduction, evidence of planning and preparation, use of open questions, supported challenging, and allowed to add, alter, correct at end. No rapport, infrequent summaries. Untrained – half explained caution, evidence of plan and preparation, use of open questions. No rapport and infrequent summaries.</p> <p>Average – half explained the caution, explained right to legal advice, some open questions. No explanation of roles, no rapport, lack of structure and limited summaries, mainly closed questions. Untrained – did not explain caution, otherwise the same as trained officers.</p> <p>Less skilled – One trained and one untrained interviewer explained caution. Access to legal advice not fully covered, roles were not explained, no rapport, lack of structure and poor questioning (mainly closed questions), and most officers allowed add, alter or correct.</p> <p>Poor – All interviewers failed to explain caution, right to legal advice was poorly covered or omitted. No rapport building or explanation of account, poor structure and questioning, lack of direction, no real challenging highlighted a lack of planning and preparation. One trained officer and half the untrained officers provided no opportunity to add, alter or correct.</p>	<p>At location 1, identification of those present, provision of place, date, time, asking for an account, testing admissions, challenging, use of pauses, inviting the suspect to add or clarify and providing the time at the end were nearly always present. Whereas, explaining the roles of those present and the process of the interview, use of significant statements, arrest for other offences, and giving a special warning were usually missing.</p> <p>At location 2, identification of those present, provision of place, date time, asking for an account, testing admissions, use of pausing, and recording the time at the end were nearly always present. Whereas, explaining the roles of those present, explaining the interview process, use of significant statements, and arrest for other offences were not carried out regularly.</p>	<p>For Engage and Explain the introduction and identification of self and others, provision of time, date & location, explanation of the caution and reminder of free legal advice were carried out well. Whereas explaining, how the interview was to be conducted and the tape process, reminding suspect of significant statements and why they had been arrested, and not asking why a solicitor was not needed, were poorly carried out.</p> <p>During the account phase coverage of points to prove and the use of exhibits was carried out well. However, the interviewers failed to obtain repeated recalls, did not review the suspects account or examine it in sections, nor did they provide any summaries.</p>

This data includes some clear similarities with Hall's in the area of summarising, and providing/ explaining the caution, the latter becoming poorer with less skill in Hall's study. The checklist used by Paisley's police force did not include a rating for rapport building, a skill that Hall usually found to be missing.

The final study by Rigg (1999) assessed the 'Engage and Explain", and 'Account" phases of interviews conducted by trained officers. Assessments were made using a 21 item scale based on 'Investigative Interviewing a Practical Guide' (NCF, 1996) and "best practice issues that are taught to students undergoing the PEACE course" (Rigg, 1999, p. 34). This scale did not include an item for rapport building. Each item was assessed on a five point scale from 'Excellent' to 'Unacceptable'. As can be seen from table 2.1 Rigg presented his data by describing the extent to which each item on the scale was carried out well or poorly. He suggested that some legal aspects of the introduction were conducted well, whilst others were not. Like Paisley he found that officers did not explain the process of the interview. Unlike McGurk et al (1993) Rigg found that the points to prove an offence were dealt with well in the sample that he examined. However, as with the other two studies, Rigg found the structure of the account phase to be poor with little reviewing or summarising of the account that was provided.

These findings provide differing perspectives on the impact of PEACE. Hall's sample of trained and untrained officers found that PEACE trained officers were more likely to be rated as skilled, than those who had not received such training. However, both Paisley and Rigg examined the interviews conducted by trained officers and found a range of poor practice that should not have been present after training. Although, the interesting feature across all three studies is that despite the use of different assessment instruments there was a remarkable similarity in the behaviours that officers were found to be conducting poorly. Uniquely, Paisley wanted to determine the impact of interview supervision, hence the assessment of three tapes per officer over a year. From his assessments he concluded that there had been no consistent improvement and that performance across the three interviews was variable. However as discussed previously, in 'From training to workplace', Paisley found that officers and supervisors alike reported that supervision was not provided as regularly as required by local policy, despite the large literature that demonstrates the need for such support in order to transfer skills training from the classroom to the workplace.

The aims of the current study were to examine interviews conducted by trained and untrained police officers from different police forces across England and Wales in order to determine whether those officers trained in the use of PEACE interviewing were more skilled

than those who were not, and whether officers from police forces with a policy for the supervision of interviews demonstrated better skills than those from police forces without such a policy.

Methodology

Design

This study had a factorial design with training (trained, untrained) and supervision (supervision, no supervision) as between subject factors. There were 61 independent variables relating to the PEACE model of interviewing, these are discussed below in relation to method of assessment.

Sample

Six forces in England and Wales agreed to participate in the research. They were selected on the basis of willingness to participate, geographical location, percentage of the force PEACE trained and size of force, in order to gain a representative sample across the country. A sample of 30 interviews was selected per force. Initially the sample was chosen in order to obtain (i) a balance of trained and untrained officers and (ii) a balance of forces with supervision and no supervision policy in place. In addition, the interviews were to relate to what can be termed bulk or everyday crimes e.g. theft, criminal damage, burglary etc.

Method of assessment

Assessment was conducted using a specially constructed rating scale, which was developed in order to examine the use of the PEACE model. To aid in the scale construction a wide range of international literature and previously developed scales were reviewed from both published (e.g. Bull & Cherryman, 1995; McGurk et al., 1993) and unpublished studies (e.g. Hall, 1997; Stevens, 1998). Many of the interviewing behaviours assessed in these studies were similar and a composite scale was compiled for use in the current study.

This scale focussed on good communication skills, such as explaining how the interview will be conducted (item 18), the PEACE model such as planning and preparation (item 6), interview structure such as the development of topics (item 24), and items that are required by law (in England and Wales) when interviewing suspects such as the provision of the date, time and place (item 7).

The scale was divided into six main dimensions that broadly reflected the PEACE model, these included; (i) background information, (ii) planning and preparation, (iii) engage and

explain, (iv) account, interviewer characteristics, (v) questioning skills, and (vi) closure. Individual items were rated as either being present or not e.g. 'identification of all persons present', the quality of the behaviour on a five point scale e.g. exploration of information, and in relation to question types a count of each type of question. This combination of assessment criteria overcame the problems associated with the supervisors checklist that only allows for the recording of whether or not an item is present. The engage and explain dimension mainly consisted of legal requirements but also the important communication skills of rapport building and explaining the interview purpose and process. Whereas the account phase provides a breakdown of the CM style of interview by examining such behaviours as developing topics and the use of summaries and links. This dimension also examined issues that had previously proved to be problematic for officers such as dealing with difficulty (Baldwin, 1992) and covering the points to prove an offence (McGurk et al., 1993). Previous criticisms also dominated the reasoning behind assessing interviewer characteristics, the types of questions being used, and closure. Finally, the last two criteria examined whether the interview breached s76, or s78 of the Police and Criminal Evidence Act (PACE) 1984 (relating to unreliable confessions and oppression) and requested an overall assessment of the quality of the interview.

Following construction of the scale a draft copy was disseminated to police officers and academics for comment. The scale resulting from their comments contained 61 separate items and can be found at Appendix D. In addition to the scale itself, a list of definitions was developed to aid the consistency of rating. Advice and definitions were provided for just under half of the items in the scale, in the main these definitions related to the items for which rating was assessed using a five points scale. For example, each rating for overall interview outcome was explained (item 5), suggestions were provided on how evidence of rapport building might manifest itself (item 21), and similarly open mindedness (item 41). In addition, the advice and definitions reiterated the fact that types of question should be counted, whilst a breach of PACE related to s76 and s78. The overriding criteria for including an explanation was whether or not the author believed that there could be differences in interpretation of a particular item. A complete set of instructions and definitions can be found at Appendix D.

Assessors

Who should assess investigative interviews was a thorny issue. To date most of the published studies on investigative interviewing have involved academics rating police interviews. Though the ecological validity of this method may not be high, the inter-rater agreement usually is (Bull & Cherryman, 1995). Whereas with police officers the ecological

validity may be high but it has been found that inter-rater agreement is generally poor. In fact Cherryman (2000) found that not only is reliability different between individuals but also between officers in different roles. She also found that police officers' ratings of skilled interviewers had a confession bias.

For the current study ecological validity was an important issue because the research was being conducted for the police service with a Home Office grant. On day to day basis the supervision (or assessment) of interviews rests with an officers' supervisor or manager, yet most studies reporting on police interviewing skills have been assessed by researchers or academics rather than police officers. Many police officers criticise this process, arguing (rightly or wrongly) that only police officers have the necessary knowledge to effectively assess investigative interviews. Indeed, Cherryman (2000) suggested that police officers may well have knowledge about the interview process that researchers don't possess, though it must be acknowledged that there is no research on this topic. In the end, because of the intended audience and the importance of interview assessment by police officers in the workplace, it was decided to use police officers to assess the sample for this study.

However, Cherryman (2000) had also found that police officers vary considerably in their assessment of investigative interviews, as opposed to researchers who demonstrate good inter-rater consistency. Having decided to use police officers as the assessors a number of steps were taken in order to obtain the best inter-rater reliability. In particular all raters had to have (i) experience of teaching PEACE, (ii) experience of using PEACE, and (iii) experience of conducting research/ evaluating PEACE interviews. In the end there was a pool of 15 raters from different forces across Britain. Each rater assessed approximately 8 interviews from 2 different locations (four from each). All rating was conducted blind in that raters were not informed whether trained or untrained officers conducted the interviews. Raters were not provided with interviews from their own force. 10% of the interviews were double rated to enable checks for inter-rater reliability to be conducted. Inter-rater agreement was found to be 79%.

The overall inter-rater agreement hides the fact that 54% of the items were found to have an agreement rate of 80% or more. Whilst only two items had an inter-rater agreement of under 50%; (i) explains grounds for arrest (44%), and (ii) asks if committed offence (47%). One further item had an inter-rater agreement of under 60% (challenges, 53% agreement), all the remaining items had between 60% and 80% agreement.

Results

Overview of interviews with suspects

177 interviews were collected from six police forces (see table 2.2). (However, it should be noted that due to some items not being assessed for every interview as a result of human error, the raw scores do not always add to 177). The interviews were evenly split between supervision and non-supervision police forces.

Table 2.2 Interviews with suspects distributed by police force

	Supervision	Tapes
Bedfordshire	Yes	29
Devon & Cornwall	No	30
Dyfed – Powys	No	30
Gloucestershire	No	30
Metropolitan Police	Yes	29
South Yorkshire	Yes	29

Two thirds of the interviewers were PEACE trained and one third were untrained (see table 2.3).

Table 2.3 Percentage of interviews as a function of training and supervision (raw score in brackets)

	Trained	Untrained
Supervision	32.2 (56)	17.8 (31)
No Supervision	36.2 (63)	13.8 (24)

In addition, the type of crime being investigated was also noted. The PEACE course was initially developed for uniform officers of five to ten years service, thus only interviews with people suspected of committing a range of everyday crimes were examined. These crimes could also be termed as ‘volume / bulk crime’ (e.g. theft, criminal damage, and assault), and as can be seen from Table 2.4, most of the interviews with suspects concerned the crime of theft or assault.

Table 2.4 Interview by crime type (percentage in brackets)

Crime Type	Number (%)
Affray	2 (1.1)
Assault	47 (26.7)
Burglary	4 (2.3)
Criminal Damage	36 (20.5)
Disorder	5 (2.8)
Fraud	1 (0.6)
Receiving stolen goods	1 (0.6)
Theft	79 (44.9)
Vehicle interference	1 (0.6)

The mean length of interview was 21.2 minutes and the median was 18 minutes (SD = 14.6; Range = 3 to 85 minutes)

Interviewer factors

The 177 interviews were mainly conducted by uniform officers, with approximately one third being female and two thirds male (see Table 2.5).

Table 2.5 Interviewer characteristics by percentage (raw score in brackets)

	Training		Gender	
	Trained	Untrained	Female	Male
Uniform	49 (85)	30 (51)	4 (7)	65 (113)
Detective	19 (33)	2 (3)	15 (26)	17 (29)

Half of the interviews had one interviewer and the other half had two interviewers present. Lead interviewers were in the main male (78.5%). The lead interviewers were mainly uniformed officers (79.5%), with detectives making up the remaining 20.5%.

Interviewee factors

The persons suspected of these crimes (the interviewees) were mainly adult males (74%). Juvenile interviewees represented 10% of the sample of which one third was female and two thirds were male (see table 2.6).

Table 2.6 Interviewee characteristics by percentage (raw scores in brackets)

	Age		Total
	Adult	Juvenile	
Male	74 (130)	7 (12)	81
Female	16 (29)	3 (5)	19
Total	90	10	

The law provides for interviewees to have independent legal advice during the interview, whilst juveniles and vulnerable adults should have an appropriate adult present. 36% of interviewees (n = 64) had a legal representative present during their interview. When a solicitor was present they explained their role on just 30% of those occasions, indicating that it is almost twice as likely that the solicitor will not explain their role during an interview. Appropriate adults were present during only two of the interviews with adults.

Of the interviews with juveniles, solicitors were present in 59% (n = 10) of these interviews and explained their role on half these occasions. Thus, for this sample there was a trend towards juveniles being more likely to have a solicitor present than not. (However, it should be noted that the sample size is quite small.) All of the juveniles had an appropriate adult present. This role was performed by a social worker in only 23% (n=4) of the interviews. All of the social workers explained their role during the interview whereas only 40% (n=6) of the other appropriate adults did so. These findings indicate that social workers are twice as likely to explain their role as not to do so, whilst other appropriate adults are one and half times less likely to explain their role. (Caution should be taken with these figures due to the small numbers involved).

Interview outcome

Interview outcomes were rated as being (i) a comprehensive account - where there was a confession and a good detailed account of what happened, (ii) a confession – just the confession with further examination, (iii) a partial admission – partially admitted the offences, (iv) a denial – consistently denied the offence in question, or (v) no comment – refused to answer questions, remained silent or gave replies such as ‘no comment’. The number of ratings in each category is presented below (figure 2.1).



Figure 2.1 Number of interviews by interview outcome

These results indicate that interviewers are nearly one and half times more likely to obtain a comprehensive account or confession than a denial and 17 times more likely than no comment. In fact, in 66% ($n = 116$) of the interviews some form of admission was provided which is higher than seen in previous studies (e.g. Pearse & Gudjonsson, 1996; Phillips et al., 1996; Softley, 1980).

Different interview outcomes resulted in different interview lengths and the mean interview lengths are presented in table 2.7. There was a significant relationship between interview length and interview outcome. Where comprehensive accounts and partial admissions were found to take longer than other outcomes, whilst no comment interviews were generally short ($F_{4,172} = 6.131$, $p < 0.0001$). Post hoc test's (Fisher's PLSD) found significant time differences between comprehensive accounts and confessions ($p = < 0.05$), comprehensive account and no comment interviews ($p = < 0.05$), confessions and denials ($p = < 0.001$), denials and no comment interviews ($p = < 0.001$), and denials and partial admissions ($p = < 0.05$).

Table 2.7 Duration of interviews by outcome (Standard Deviation in brackets).

	Mean (minutes)
Comprehensive Account	23 (12.9)
Confession	15 (14.7)
Partial admission	20 (12.6)
Denied	16 (15.6)
No Comment	12 (06.4)

The remaining results will now be broken down by each phase of the PEACE model.

Planning and preparation - overview

'Planning and preparation' is the foundation of a PEACE interview but is particularly difficult to assess from a recording of an interview. A five point scale was used ranging from, 'No apparent planning' (1) to 'A good understanding of the case' (5). The mean = 3.2 (SD = 1, Range 1 to 5) for planning and preparation, and as can be seen below (figure 2.2), demonstrated a near normal distribution. However, the raters indicated in their comments that interviewers often seemed unaware of the full circumstances of the incident, did not seem to be aware of the points to prove an offence, and in a number of cases searched or read from statements during the interview.

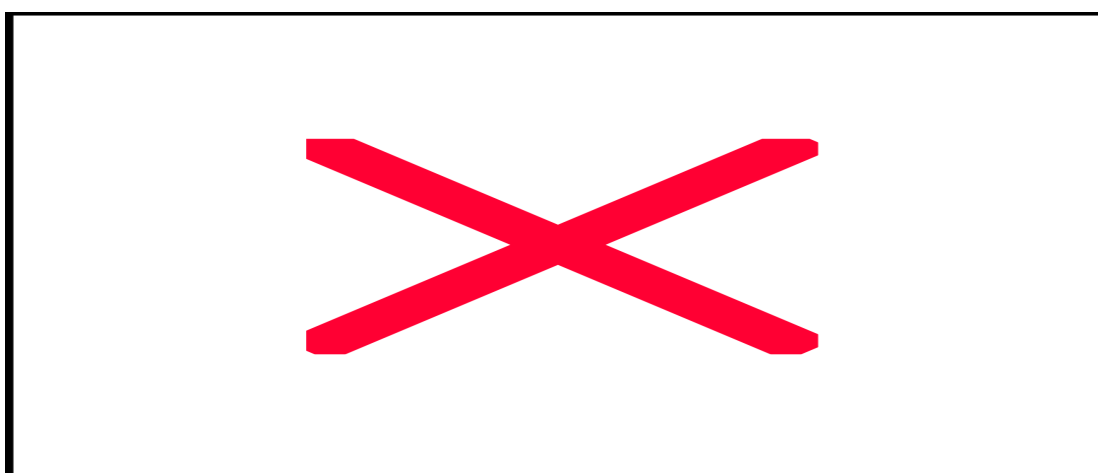


Figure 2.2 The apparent presence of planning and preparation

Engage and explain overview

Interviewers (when interviewing suspects) are required by PACE to provide a range of information at the start of an interview and this information is usually provided from a prompt sheet. The initial information usually consists of the date, time and place of interview and, these were omitted in less than 1% of the interviews assessed. Interviewers are then required to introduce themselves, this was rated on a 5 point scale. The mean for this behaviour was 4.0 (SD = 0.9, Range 1 to 5), less than 3% (n = 5) of the sample were rated below the median (3). Similarly, all other persons present at the interview must be identified at the start of interviews with suspects and this was found to have occurred in all but 3% (n = 5) of the interviews.

One of the most important pieces of information that officers provide in this stage of the interview concerns the interviewee's rights with regard to answering officers' questions, that is giving the caution. Officers generally presented the caution in a clear and professional

manner (mean = 4.0, SD = 0.9), with only 4.5% (n = 8) being rated below the median. However, when it came to checking the interviewee's understanding of the caution the results indicated a less professional explanation (mean = 2.9, SD = 1.6) with 45.4% of interviewers being rated below the median. The majority of officers (90%) also explained the interviewee's right to a copy of the tape at this stage. Those officers, who didn't, provided this information at the end of the tape.

Free and independent legal advice is available to all persons suspected of crime in England and Wales. Where no solicitor was present this 'right' was explained in a clear and professional manner by 67% (n=69) of the interviewers and legal advice via telephone was offered in 68% (n=75) of the interviews. In addition, 70% (n=66) of interviewers enquired why the interviewee did not require a solicitor, this left 48 cases where their reasons were not explored. Whether or not such advice was offered was not linked to interview length or interview outcome.

Having introduced those present, explained their role and the right to legal advice the interviewer must put to the interviewee any significant statements or silence that occurred in response to questions, prior to the interview. These were put to the interviewee in 14.7% (n = 26) of the interviews. (However, since this study was not provided with pre interview information, it is not known if this percentage indicates good performance.) At this time it is good practice to set out why the person was arrested, the purpose of the interview, and the interview process (these factors were examined using a five point scale). It was found that these behaviours were poorly presented, with the grounds for arrest, mean being 3.2 (SD = 1.4), explanation of interview purpose mean being 1.7 (SD = 1.2), and the interview process (sometimes described as routines and route map) mean = 1.4 (SD = .9). Explaining the purpose of the interview was rated as '1' for 67.8% (n =120) of interviews, thus indicating that the purpose of the interview was usually not explained. Similarly, an explanation of the interview process was not provided in 78.5% (n=139) of interviews. The fact that the interview is an opportunity for the interviewee to provide their own version of events was explained in only 8.5% of interviews (mean = 1.5, SD = 1). Again the majority of interviews were rated as '1' (74.5%, n = 132) indicating that this information was not given.

This is also the phase where interviewers should start to build up a professional relationship with the interviewee, that is to establish a rapport. Little evidence was found of rapport being developed here or throughout the interview, (mean = 1.9, sd = 1, range 1 to 4). Rapport was rated as being professionally conducted in only 7% of interviews (n = 12) whilst 47% (n = 83) of interviewers did not demonstrate rapport building at all.

From these data it appears that interviewers generally conform to the legal requirements of interviews with suspects in a clear and professional manner, although checking the understanding of the caution still presents problems. However, little in the way of information regarding the interview process and purpose of the interview is provided which, in all likelihood, stifles the development of rapport. Following the engage and explain phase, officers are taught to obtain and examine the interviewee's account of events.

Account overview

Having explained the purpose of the interview, the interviewee should be encouraged to give their account of events. The PEACE model provides two methods of obtaining an interviewee's account; the Cognitive Interview (CI) and Conversation Management (CM). It is CM that is usually used when interviewing persons suspected of crime. Interestingly the raters found good evidence of the CI in six interviews (mean = 1.4, sd = 0.8), and these were mainly concerned with assaults. Good use of CM was found in 23.2% of interviews (n = 41) whilst 30.5% (n = 54) showed no evidence of using any model at all (mean = 2.2, SD = 1.2). With regards to the elements of CM, encouraging the interviewee to give an account (mean = 3.2 sd = 1.1), with only 41.7% of interviewees (n = 73) assessed as having obtained a comprehensive account. A full exploration of the account (mean = 2.9, sd = 1.1) was found in 31.8% of interviews (n = 56) and no exploration in 10.8% (n = 10). Exploration of the account involves the use of topic areas which were only identifiable in a third (n= 49) of the interviews (mean = 2.8, sd = 1.3). As would be expected with the minimal use of topic areas, summaries and links between topics were also minimal (mean = 2.1, sd = 1.3). Good use of summaries and links was only found in 18% (n = 32) of interviews, whilst there was no evidence in 45.2% (n = 80) interviews. Finally, the use of an appropriate structure/ logical sequence was always present in 40.5% (n = 60) interviews (mean = 3.0, sd = 1.2) whereas 34% (n = 59) demonstrated little or no evidence of logical structure or sequencing. These findings indicate police interviewers are still not exploring a suspect's account of events in detail. Indeed the poor use of topic areas, summaries and links, and appropriate structure add weight to the poor use of CM. However, CM is more than just a structure, it also involves the use of good questioning and communication skills, the results for these behaviours will now be discussed.

Overview of questioning and communication skills

To explore an interviewee's account an interviewer must listen. Good active listening was demonstrated in 35.6% (n = 63) of the interviews (mean = 3.1, sd = 1.1). Of course, an interviewer must provide some direction for the interviewee and half of the interviewers

demonstrated a clear ability to keep interviewees to relevant topics (mean = 3.3, sd = 1.2). In fact, communication skills in general were rated as being good (mean = 3.6, sd = 1). 55% (n = 98) of the interviewers were rated above the median and only four were rated as bad.

Another aspect of communication skills is the ability to challenge the other person's account where necessary. Challenges were found in 116 of the interviews with only 28% (n = 32) of these being rated as professional and conducted with evidence, whereas 44% (n = 51) were confrontational and did not use evidence to support their challenge (mean = 1.8, sd = 1.6). Dealing with difficulty is something that all interviewers must face at some time. In this sample (of 168 interviews) 36% (n = 61) of interviews were rated on the median indicating that they dealt with difficulty in an acceptable manner (mean = 3.3, sd = 1.1). In some circumstances dealing with difficulty, such as refusing to answer certain questions, can be dealt with under the law by using a special warning (in relation to the interviewee's right of silence under s35 Criminal Justice and Public Order Act 1994). Special warnings were found in only two of the interviews, both of which were concerned with theft.

Ten types of question were counted as part of the assessment process. Open ended questions were those that encourage the interviewee to provide an unrestricted answer, whereas closed questions only allow a restricted response. Two type of closed questions were noted, they were deemed to be appropriate after open questioning had been exhausted but inappropriate when this was not the case and an open question could have been used. Leading questions were those questions where the interviewer implied the answer in the question, whilst statements related to utterances that did not form a question and usually involved the interviewer presenting information or stating their understanding of what the interviewee had said. Not all interviewers ask one question at a time (especially in the legal world) and presenting more than one question in an utterance was identified as a multiple question. Whilst long and complex questions, were identified as those involving negative phrasing and/ or long rambling introductions. Finally, overtalking related to those occasions when the interviewer was speaking at the same time as the interviewee (though not necessarily interrupting), whereas inappropriate interruptions were where the interviewer interrupted the interviewee (and took over the speech turn) whilst they were presenting their account or answering a question.

Questioning was found to be good and appropriate in a quarter of the interviews, (mean = 2.8, sd = 1.1, which was just below the median). Figure 2.3 demonstrates that there was a greater use of open questions than any other question type. The mean for leading questions was particularly low (mean = 4.5, sd = 6).

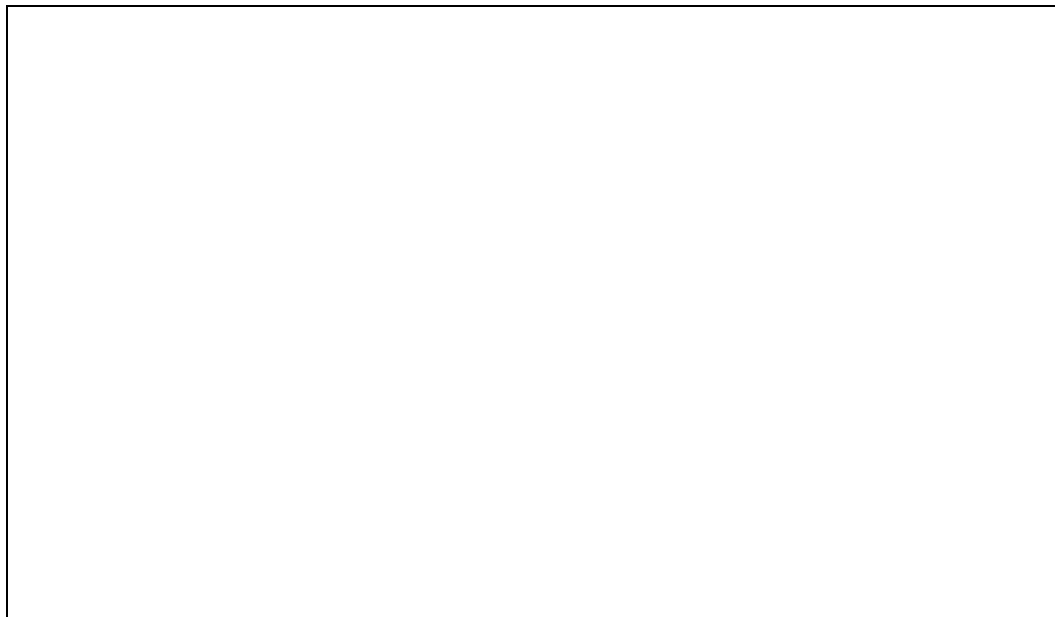


Figure 2.3 Mean number of different types of question

However, the use of closed questions overall was still found to be high (combined mean = 15.4, sd = 22). Even though the use of inappropriate closed questions was relatively low, the mean for all types of closed questions remained greater than for open questions. (The means for multiple and complex questions, and interruptions were all less than one and have been omitted from the chart.)

An appropriate use of pauses and silences, to give the interviewee time to answer or gather their thoughts, was apparent in 17.7% (n = 31) of cases (mean = 2.5, sd = 1.2).

It is not enough just to ask questions, interviewers also need to cover the points necessary to prove the offence(s) under investigation. Points to prove were covered in a comprehensive manner by only 29.7% (n = 52) of the interviewers and not at all by 25 interviewers (14.3%) (mean = 2.9, sd = 1.2). In addition, it is always a good idea to ask the interviewee whether they committed the offence and 75.7% (n = 134) of interviewers asked this question. The interviewee's motive was explored in a comprehensive manner during 25% (n = 44) of the interviews and not at all in 40 (22.7%) of them (mean = 2.6, sd = 1.2).

Interviewer characteristics such as self-confidence, open mindedness, and flexibility can also have an impact on the interview. The majority of interviewers (67.2%, n = 119) were rated as being clear and confident, (mean = 3.8, sd = 1) only five interviewers were rated as having poor self confidence (seemingly being nervous and unsure). Open mindedness was clearly

demonstrated in 36.4% (n = 64) of interviews (mean = 3.1, SD = 1.2). Good flexibility was found in only 31.3% (n = 55) of interviews, whilst 11.4% (n=11) of interviewers demonstrated little or no flexibility (mean = 2.9, SD = 1).

Overall, the mean ratings for most of the behaviours measured during the account phase were grouped around the mean, as would be expected with a random sample drawn from a population. Interviewers were rated as being self confident, having good communication skills, and good at keeping the interviewee to relevant topics. Questioning was found to consist of mainly open or closed questions with few leading questions and little in the way of overtalking. The use of CM, summaries, links, and challenges was poor.

Overview of Closure

When closing an interview it is good practice for the interviewer to summarise their understanding of what has been said. The rating for this was low (mean = 2, sd = 1.3) indicating that only basic summaries were provided. Interviewers should also provide an opportunity for the interviewee to add, alter or correct anything that has been said, and this occurred in 75% of the interviews. At this time it is usual for interviewers to provide for the interviewee a notice explaining how to obtain a copy of the tape which was clearly done in 67% of the interviews. Finally, the interview is concluded by stating the date and time. Only 18% of interviewers provided the date, whilst 92.7% provided the time. Overall, 16.4% (n = 29) of interviews were rated as providing a clear and professional closure, with an identical number being rated as providing no obvious closure (mean = 2.5, sd = 1). A total of 52% of interviews were rated as being below the median regarding closure, indicating that overall the closure phase of the interview is still being conducted poorly.

Breaches of PACE

Apart from an assessment of the interviewers' use of PEACE interviewing the raters were asked to indicate whether or not they felt that the interview might breach s76 or s78 of The Police and Criminal Evidence Act, 1984 (PACE). That is, in relation to unreliable confessions, and the use of oppression during the interview. From the sample of interviews rated for this study 10% (n = 17) were flagged as possibly breaching PACE. (Examples were found with the interviews from every force participating in the study with the range being from 3% (n = 1) to 17% (n = 5)). All except one of the interviewers was rated as in need of training (the other was rated as satisfactory). The interviews concerned most of the crime types found in this study in a similar proportion to that illustrated in table 2.8.

Table 2.8 Illustrates breaches of PACE

Reason	Number
Oppression	5
Mental health	3
Legal requirements	7
Other	2

As can be seen from table 2.8 the reasons for these interviews possibly breaching PACE can be grouped into four broad categories. Oppressive behaviour included instances of undue pressure, bullying and continual challenges. For two of the suspects there was concern over their mental health, whilst the third broke down and was not given the opportunity of a break to compose themselves. A range of legal issues gave concern in seven interviews including failure to caution the suspect, and the explanations concerning legal advice available to the suspect. Finally, in the 'other' category, there was considerable background noise during one interview whilst the other consisted mainly of leading questions, both of which gave cause for concern.

Training and supervision

119 interviews were conducted by officers trained in PEACE, and 55 by officers who were not (there were three missing values). Whilst 87 interviews were conducted at locations without a supervision policy and the remaining 87 were conducted at locations where such a policy was in place. When it came to interview length using an ANOVA there was a significant difference ($F_{1,172} = 6.294$, $p = <0.05$) between interviews conducted by trained officers (mean = 23 minutes, sd = 15.7) and untrained officers (mean = 17 minutes, sd = 11.5). The median for untrained officers = 14 minutes and for trained officers = 20 minutes. These data clearly indicate that trained officers conduct longer interviews than those who have not received training. However, there was no significant difference between interviews conducted at sites with an interview supervision policy (mean = 22 minutes, sd = 14.2) and those without such a policy (mean = 20.7 minutes, sd = 15.3).

The presence (or absence) of a solicitor, appropriate adult or social worker is unlikely to be affected by whether the interviewer is trained, or whether a supervision policy is in place (this is really a matter for the custody officer). Therefore these analyses were not conducted. However, training or supervision could influence the likelihood of the person explaining their role. Unfortunately, the numbers of interviews involving these groups were too few to make meaningful comparisons.

There were no significant differences for the interview outcome as a function of training or supervision (using ANOVA with outcome changed to numbers). Figure 2.4 displays interviews outcome by training and supervision. As can be seen the percentage of interviewees who confessed was similar regardless of training or supervision. Although it would be wrong to assume that training or supervision are the only factors that affect the interview outcome. For example, as stated above Moston et al (1992) found strength of evidence to strongly affect interview outcome. Nevertheless, there was a tendency for untrained officers and those at sites without supervision to only obtain a partial admission, although the differences were not statistically significant.



Figure 2.4 Interview outcome as a function of training (as a percentage)

The proportion of officers by level of skill was examined as a function of training and supervision (using ANOVA after converting the scores to numbers), and found not to be significant. As this data consisted of nominal values logistic regression was conducted to examine whether a particular level of skill was more likely to occur dependent upon whether the interviewer was trained or not, or whether supervision was in place, or not. It was found that significantly more trained officers were rated as in “need of training’ than untrained officers (coef = -0.959, $p = <0.001$) and this is clearly presented in figure 2.5. (This point will be returned to in the discussion.) There were no significant differences in relation to supervision. Indeed, the percentage of interviewers from locations with and without interview supervision were nearly identical for each level of skill. The percentage of interviewers by level of skill, as a function of training and supervision is presented in Figure 2.5.

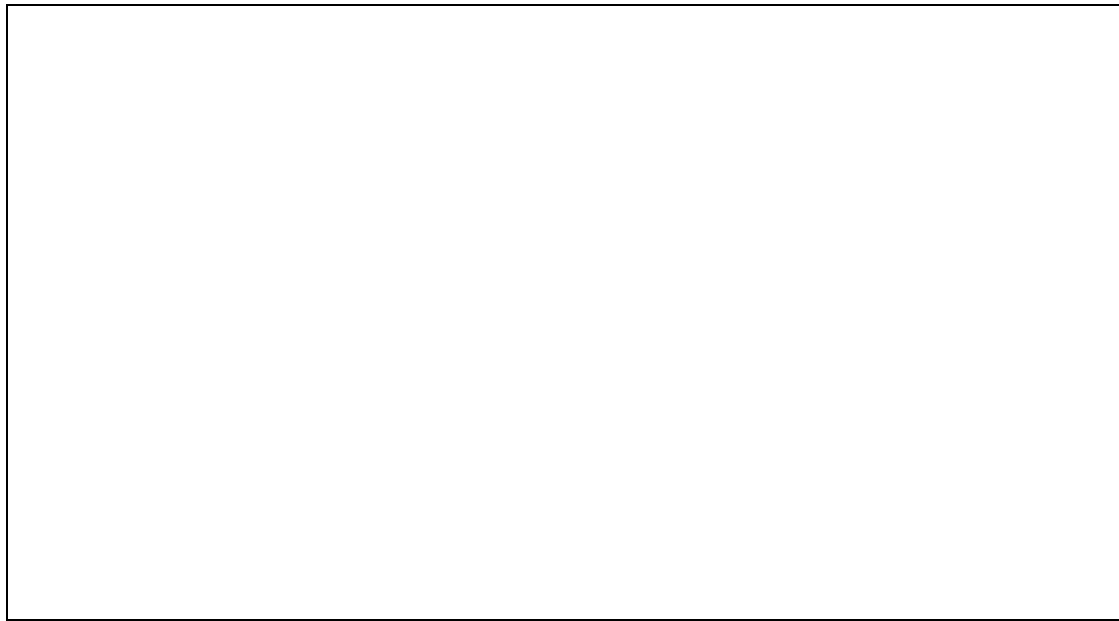


Figure 2.5 Percentage of interviews by level of skill as a function of training and supervision

A MANOVA was conducted on the remaining variables that were not dichotomous, and found to be not significant overall for training, supervision, or an interaction between them. Therefore MANOVA's were conducted for the individual phases of the PEACE model, and these are now discussed.

Planning and preparation

Planning and preparation is the first element of PEACE and a crucial pre interview activity. The ANOVA for this element of the interview was not significant for training with trained officers having a mean of 3.179 (sd = 1.037) and untrained officers having a mean of 3.176 (sd = 0.952). Similarly, there were no significant differences between interviews at those sites with a supervision policy (mean = 3.128, sd = 0.971) and those without a policy (mean = 3.229, sd = 1.048). These means are nearly the same as the sample means possibly because it is difficult to establish the extent of planning and preparation from the interview itself, and as has been indicated before, this study did not have access to the actual case papers. Indeed, the sample shows a near normal distribution (figure 2.2) rather than being skewed towards having a good knowledge of the case. This is taken up in the discussion.

Engage and explain

A range of legal points and communication skills were assessed using a five point scale for the engage and explain phase of the interview (as shown in Table 2.9). A MANOVA for training and supervision was conducted on these items and found to be significant for supervision (Wilks, $F_{7,142} = 4.607$, $p = <0.001$). There was no training or interaction effect.

Indeed, there were no significant effects for training and as can be seen from table 2.9 the means for trained and untrained officers were similar.

Table 2.9 Means for engage and explain behaviours by training and supervision

	Trained		Untrained		Supervision		No Supervision	
	Mean	SD	Mean	SD	Mean	SD	Mean	SD
Introduction	4.00	0.865	4.07	0.852	4.12	0.754	3.94	0.961
Give caution	4.06	0.824	4.06	0.960	4.18 ^B	0.771	3.93	0.961
Caution understanding	2.90	1.613	2.78	1.496	3.24 ^B	1.610	2.48	1.454
Legal advice	3.48	1.203	3.31	1.306	3.37	1.301	3.50	1.156
Grounds for arrest	3.16	1.391	3.30	1.351	3.22	1.403	3.19	1.357
Interview purpose	1.67	1.180	1.76	1.115	1.99 ^B	1.280	1.41	0.938
Explain account	1.55	1.081	1.53	0.940	1.74 ^B	1.107	1.34	0.923
Interview map	1.43	0.962	1.40	0.852	1.76 ^A	1.171	1.08	0.348
Rapport	1.92	0.977	1.87	0.978	2.02	1.026	1.78	0.911
^A significant at $p < 0.001$								
^B significant at $p < 0.05$								

During the engage and explain phase supervision was significantly related to a number of behaviours. Interviewers gave the caution ($F_{1,148} = 6.007$, $p = < 0.05$) and checked the interviewee's understanding ($F_{1,148} = 8.177$, $p = < 0.05$) in a clearer and more professional manner where a supervision policy was in place. In addition, there was more evidence of the interview purpose being explained ($F_{1,148} = 7.540$, $p = < 0.05$), an outline of the interview processes being given ($F_{1,148} = 15.189$, $p = 0.001$), and the interviewee being informed that it was an opportunity to give their account ($F_{1,148} = 7.503$, $p = < 0.05$) when a supervision policy was in place. (Though it must be acknowledged that the latter means were still very low.) Despite the low means for communication skills presented in table 3.10 the findings suggest that, apart from rapport building, supervision improves both legal and communication behaviours during the engage and explain phase. Once the interviewees legal rights and the interview process have been explained the interviewer should obtain interviewees account and then explore the information provided.

Account

32 separate legal and communication behaviours were assessed during the account phase of the interview. These have been divided into two separate areas of analysis, the structure of the interview and legal requirements are examined here, whilst questioning and communication skills are examined in the next section.

The behaviours examined during the account phase are presented in table 2.10 below. A MANOVA for training and supervision was conducted on these items and found not to be significant for main or interaction effects. During the account phase, a significant interaction effect was found for 'challenging' ($F_{1,152} = 2.392$, $p = < 0.05$), where trained officers at sites

with supervision were more confrontational (mean = 1.6, SD = 1.6) in their approach to challenges than officers at sites where there was no supervision. This is an issue that is raised again during study 4. There were no other significant differences as a function of training, in this phase of the interview.

Table 2.10 Mean scores for engage and explain behaviours by training and supervision

	Trained		Untrained		Supervision		No Supervision	
	Mean	SD	Mean	SD	Mean	SD	Mean	SD
Encourage account	3.26	1.171	3.15	0.965	3.28	1.022	3.17	1.191
Topic development	2.71	1.313	2.90	1.222	2.73	1.301	2.81	1.274
Relevant topics	3.27	1.231	3.41	1.060	3.22	1.110	3.41	1.245
Structure/ sequence	2.99	1.204	3.18	1.218	3.01	1.155	3.082	1.265
Summaries/ links	2.03	1.272	2.38	1.272	2.40 ^B	1.336	1.87	1.122
Explores account	2.83	1.181	2.89	1.039	2.79	0.969	2.91	1.285
Use of CM	2.40	1.258	2.56	1.236	2.63	1.254	2.27	1.226
Use of CI	1.35	0.777	1.40	0.852	1.46 ^A	0.818	1.28	0.773
Points to prove	2.76	1.219	3.10	1.113	2.95	1.206	2.81	1.183
Explores motive	2.59	1.224	2.72	1.192	2.70	1.182	2.55	1.244
Challenge	1.81 ^B	1.607	1.68	1.634	1.72 ^B	1.583	1.81	1.649
Deals with difficulty	3.31	1.189	3.25	0.980	3.22	0.905	3.36	1.308
^A significant effect $p < 0.05$								
^B significant interaction effect $p < 0.05$								

The MANOVA provided no significant differences for supervision during the account phase. However, individual ANOVA's highlighted that supervision was significantly associated with the visibility of a conversation management style of interview ($F_{1,174} = 4.284$, $p = <0.05$), and supported by a significantly higher use of summaries and links ($F_{1,174} = 8.267$, $p = <0.05$). No other behaviours in the account phase demonstrated a significant difference relating to the presence or absence of a supervision policy.

Three dichotomous variables were examined during the account phase that related to, (i) the use of special warnings, (ii) whether the interviewee was cautioned after the break, and (iii) whether the interviewer asked the interviewee if they had committed the offence. There were too few special warnings and breaks in the interview to conduct a meaningful analysis with the data. However, it was possible to examine whether or not the interviewer asked if the suspect had committed the offence using logistic regression. It was found that training had no impact upon whether this question was asked, however interviewers at those locations with a supervision policy in place were more likely to ask this question than those at locations without such a policy (coef = 0.733, $p = <0.05$).

Questioning and communication skills

The second aspect of account phase to be examined related to the use of questions and communication skills. Question use was examined by officers counting the numbers of different types of interview that were used. Whereas, communication skills were rated on a

five point scale. The means for question use as a function of training, or supervision are presented in table 2.11.

Table 2.11 The mean scores for question types as a function of training and supervision

	Trained		Untrained		Supervision		No Supervision	
	Mean	SD	Mean	SD	Mean	SD	Mean	SD
Open questions	16.47	21.022	10.58	10.728	13.63 ^B	14.414	15.59	22.002
Leading questions	5.27 ^A	6.809	2.91	3.713	3.63	3.954	5.41 ^A	7.58
Appropriate closed	14.53	20.588	10.65	9.138	9.94	9.843	17.81	24.08
Inappropriate closed	9.00	14.662	4.52	6.894	7.71 ^B	14.932	7.00	8.428
Multiple questions	1.54	3.459	0.625	1.070	0.75	1.219	1.87	4.151
Complex questions	0.947	3.270	0.194	0.601	0.288	0.825	1.25	4.024
Statements	10.44 ^A	16.663	3.806	4.881	7.04	15.184	9.64	12.241
Overtalking	2.40 ^A	4.044	0.226	0.497	1.29	2.659	2.14	4.284
Interruptions	1.60	3.484	0.323	0.702	0.846	2.296	1.58	3.573
Use of questions	2.73	1.157	3.25	0.980	2.83	1.121	2.72	1.255
Pauses and silence	2.52	1.329	2.40	1.061	2.57	1.272	2.40	1.227
^A significant difference $p < 0.05$								
^B significant interaction effect $p < 0.05$								

A MANOVA for question types as a function of training and supervision resulted in no overall main or interaction effects. There were however a number of effects for training based on the ANOVA data. Trained officers were found to use significantly more leading questions ($F_{1,170} = 5.171$, $p = < 0.05$), statements ($F_{1,170} = 4.138$, $p = < 0.05$), and over-talking ($F_{1,167} = 8.714$, $p = < 0.05$) than untrained officers, suggesting that they have poorer skill in these areas. There was an interaction effect in relation to use of open questions with untrained officers at locations without a supervision policy using more open questions (mean = 22.38, sd = 11.313) than those at locations with such a policy (mean = 7.435, sd = 6.727, $F_{3,84} = 5.3$, $p = < 0.05$). Whereas, inappropriate closed questions were used more by trained officers from sites with a supervision policy (mean = 11.655, sd = 18.736) than untrained officers at those locations (mean = 2.739, sd = 4.873, $F_{3,84} = 4.165$, $p = < 0.05$). None of the other questioning behaviours demonstrated a significant difference as a function of training.

An examination of questioning behaviours as function of supervision found that significantly more leading questions were used in interviews at locations without a supervision policy (see table 2.12) than those with such a policy ($F_{3,84} = 6.375$, $p = < 0.05$). There were no other significant differences for questioning skills as a function of supervision.

In addition to the use of questions a range of communication skills were examined across the interview. The mean scores for these skills are presented in table 2.12. A MANOVA test on these data as a function of training and supervision resulted in no significant main or interaction effects overall.

Table 2.12 The mean scores for communication skills as a function of training and supervision

	Trained		Untrained		Supervision		No Supervision	
	Mean	SD	Mean	SD	Mean	SD	Mean	SD
Self confidence	3.91	1.020	3.72	1.008	3.82	0.943	3.88	1.092
Open mindedness	3.00	1.297	3.28	0.854	3.10	1.084	3.08	1.274
Flexibility	2.86	1.169	3.07	0.884	2.94	1.030	2.91	1.151
Communication skill	3.60	1.028	3.64	0.830	3.62 ^A	0.879	3.60	1.054
Active listening	3.09	1.164	3.30	0.859	3.20	1.052	3.12	1.109

^A significant effect $p < 0.05$

Similarly there were no significant main effects using ANOVA for training and supervision. There was one interaction effect with untrained officers at locations with a supervision policy in place demonstrating slightly better communication skills (mean = 3.84, sd = 0.638) than untrained officers at locations without such a policy (mean = 3.38, sd = 0.981, $F_{3,84} = 4.206$, $p = < 0.05$).

Having obtained and explored the interviews account the final phase of a PEACE interview is the closure, which is examined next.

Closure

Five behaviours were examined with regards to the interview closure, two were rated on a five point scale and related to summarising the interview and an overall assessment of the closure phase. The means for this data are provided in table 2.13. There were no main or interaction effects for either a MANOVA or ANOVA conducted on this data, although interview closure just missed being significant for training ($p = 0.06$). As can be seen in table 2.13 this effect would have been in the opposite direction to what would be expected, with untrained officers providing a clearer closure than those trained in PEACE.

Table 2.13 The mean scores for the closure phase as a function of training and supervision

	Trained		Untrained		Supervision		No Supervision	
	Mean	SD	Mean	SD	Mean	SD	Mean	SD
Summarises	1.95	1.369	2.18	1.219	2.44	0.892	2.60	1.091
Closure	2.43	0.962	2.71	1.053	2.14	1.357	1.91	1.288

The other three items concerned, whether the interviewee was given the opportunity to add, alter, or correct their account, or had their right to a copy of the interview recording explained to them, and whether the interviewer provided the date and time at the end of the interview. These data are presented below in table 2.14

Table 2.14 Presents the raw scores for the dichotomous closure variables

	Trained		Untrained		Supervision		No Supervision	
	Yes	No	Yes	No	Yes	No	Yes	No
Add, alter, correct	87	32	44	11	59	28	75 ^A	15
Tape notice	74	44	42	13	63	23	55	35
Notes date	23	95	9	46	21	65	11	79
Notes time	112	7	49	6	80	7	84	6
^A significant effect $p < 0.001$								

Logistic regression was performed on the data in table 2.13 establish whether or not these behaviours were likely to be present dependent upon training, or supervision. It was found that interviewers at locations without supervision were more likely to ask the interviewee whether they wished to add, alter or correct anything at the end of an interview than not do so (coef = 1.011, $p = < 0.001$).

Level of skill

The further level of analysis that could have been conducted was an ANOVA on the independent variables with level of skill as the dependent variable. As would be expected this analysis resulted in most of the independent variables demonstrating some significant differences as a function of skill. However, the individual items that made up the rating scale were not truly independent of level of skill because the scores allocated to each item would have been dependent on the interviewers skill, to some extent. Therefore, the scores for the dependent variable (level of skill) were likely to have some relationship with the independent variables.

In view of this it was decided to develop a model of the of those variables that best discriminated level of skill using stepwise regression. Initially 33 continuous variables (from the assessment instrument) were included in a forward stepwise procedure, this resulted in four variables being included in the model ($R^2 = 0.743$). However, a backward stepwise procedure resulted in ten variables being included in the model ($R^2 = 0.751$), suggesting colinearity of some of the variables. A correlation matrix of all the variables identified that topic development (which was removed) had a high correlation ($r = < 0.74$) with three other variables, whilst structure and sequence (which was removed) had a high correlation ($r = < 0.74$) with three other variables, and finally flexibility (which was removed) had a high correlation ($r = 0.82$) with open mindedness. Once these variables were removed from analysis, the stepwise procedure developed the same five variable model using both forward and backward analysis ($R^2 = 0.751$, $F_{5,130} = 78.521$ $p = < 0.001$). However, the R^2 statistic is influenced by the number of variables used in the process, to account for this behaviour an adjusted R^2 can be used which adjusts R^2 to take account of the number of

possible variables in the model. The five variable model resulting from the stepwise regression had an Adj $R^2 = 0.742$ which suggests that the model explains 74.2% of the variance. This model is presented in table 2.15 and the variables included in the model demonstrate good face validity.

Table 2.15 Level of skill model using Stepwise Regression

Variable	Std Coef
Planning & preparation	0.174
Use of questions	0.235
Challenge	0.101
CM	0.333
Open mindedness	0.243

However, the above model must not be taken as providing the definitive criteria for assessing interviews with suspects. The stepwise procedure only includes, in the model, those variables that provide good discrimination of level of skill, therefore behaviours that were found to be performed poorly across the sample (e.g. explain interview purpose, providing detail of routines and route maps, and closure) were probably omitted from the model. Using those three variables as an example an examination of the data shows that scores have been awarded across the whole range (1 – 5) for each level of skill. All three variables received ratings of five (highly skilled) for those with an overall level of skill as in need of training. Similarly, ratings of one (poor skill) were found at each level of skill, indeed the mean for providing details of routines and route maps for skilled interviewers was only one point seven. Further examination of the mean scores for these three variables shows little difference across level of skill, hence the poor discrimination for level of skill (see table 2.16). Without a clearer difference between the means by level of skill, these and other variables assessed in this study will not be included in the model.

Table 2.16 Introduction and closure variables by level of skill

	Skilled	Satisfactory	Needs training
Explain interview purpose	2.2	2.1	1.3
Routines and route maps	1.7	1.5	1.3
Closure	3.2	2.9	2.1

In addition to the above issues the process indicated that a number of items on the assessment instrument demonstrate colinearity. Those wishing to use the assessment instrument in future research should take this into account, and consider removing the variables mentioned above if they wish to reduce the length of the scale, or leave them in to act as test re test items.

Discussion

From the results presented above it might appear that PEACE training has had little effect on police interviewing skills. Indeed the only significant differences between trained and untrained interviewers in this sample are an increase in interview length, greater use of leading questions and statements, and more interruptions by trained officers. However, it must be remembered that the interviews in this sample were conducted over five years after the introduction of PEACE. With the large numbers of officers trained to use PEACE (see Study 1), and the wide distribution of PEACE literature to police forces across England and Wales (CPTU, 1992a; CPTU, 1992b; NCF, 1996; NCF, 1998), it would have been nearly impossible to find an untrained sample of officers who had no exposure to PEACE interviewing.

In view of this it may be more appropriate to consider the current sample in terms of the criticisms that were being levelled against police interviewers pre PEACE (e.g. Baldwin, 1992). Baldwin identified problems with (i) lack of preparation, (ii) general ineptitude, (iii) poor technique, (iv) assumption of guilt, (v) undue repetition, (vi) persistent or laboured questioning, (vii) failure to establish relevant facts, and (viii) the exertion of too much pressure. The current sample demonstrated good planning and preparation with the sample mean being above the median for the scale. A general ineptitude did not manifest itself across the sample with interviewers being rated as having average self confidence and flexibility, whilst demonstrating an appropriate structure, using topic areas with some evidence of summaries and links. Although it must be acknowledged that little use of CM was found, and interviewers continue to have problems explaining the interview purpose and structure to suspects, information that forms a basic element of social communication skills. The lack of use of CM was disappointing but not unsurprising in the light of other studies that report officers as viewing CM as an inflexible tool (Elliston, 1995; Rigg, 1999). However, officers' continued reluctance to provide information about the interview purpose and structure is probably an artefact of previous police interviewing styles which saw officers providing as little information as possible in order to keep suspects at a psychological disadvantage (Gudjonsson, 2003). Whether officer's assumed guilt, was not examined in this study but questioning skills were. Questioning technique also seems to be improving with few leading questions and a good proportion of open questions. There were still a large number of closed questions being used, with all their attendant problems (Milne & Bull, 1999) but two thirds of these were rated as appropriate closed questions. Overall, communication skills were rated as being good (as in McGurk et al., 1993), as was active listening, though rapport building was poorly conducted. During these interviews suspects

were clearly kept to relevant topics and encouraged to give their account but the points to prove an offence, together with the suspects' motive were poorly covered. Undue pressure was identified in only five interviews, whilst another 12 also raised concerns. Overall 10% of the sample were thought to breach either s76 or 78 of the Police and Criminal Evidence Act, 1984 (PACE). One final element of PEACE that continues to be poorly conducted is the closure, which is unfortunate because this is an important element of social communication and the part of an interview that the interviewee will remember most (Hargie & Dickson, 2004). Although this finding is not surprising because ever since the first evaluation (McGurk et al., 1993) this element of the interview is unlikely to be practised or assessed during training. All in all though, it would appear that PEACE is beginning to develop a more professional interviewing style in police officers from that observed by Baldwin, although there is clearly some way to go.

One of the methods to improve interviewing skills development even further is through good workplace supervision. In the current sample workplace supervision appears to be having some positive impact on the interviewing of suspects. In particular, interviews from those sites with supervision policies demonstrated improved explanations of the interview routines and purpose, something that was criticised by Baldwin (1992) and an essential element of social communication (Hargie & Dickson, 2004). Although it must be acknowledged that the mean was still lower than ideal. In addition, there was more evidence of CM and the use of summaries and links during the account phase when a supervision policy was in place. The term 'a supervision policy in place' is being used because there was no information available concerning the actual frequency and quality of supervision being provided within the forces that provided the sample. Indeed, Stockdale (1993) believed that the police service would have difficulty implementing a supervision of interviewing policy. Her fears have been born out by subsequent research which has shown that even when a policy is in place, its actual application varies considerably (Elliston, 1995; Paisley, 1998; Rigg, 1999). What these data demonstrate is that even with a supervision policy that is not being diligently applied, some improvement of skills can be found. Should the police service improve its application of interview supervision, it should see a greater improvement in interviewing skills.

It was disappointing that training did not have a positive impact on level of skill, indeed those trained to use PEACE were more likely to be rated as in 'need of training' than those who had not been so trained. This might be because many PEACE trained officers have limited opportunity to interview suspects. A number of unpublished studies have reported difficulties finding post training interviews from their sample of officers (Elliston, 1995; Hall, 1997), even when the sample related to CID officers (Jones, 1996). This (apparent) lack of opportunity

together with poor workplace support are common factors discussed in the literature for poor training transference generally. Whereas, research looking specifically at training for interviewing witnesses has found that once workplace support is removed interviewers quickly resume their previous (bad) practises (Lamb et al., 2002a; Lamb et al., 2002b). Therefore, it is probable that the numbers of PEACE trained officers rated as being 'need of training' can be attributed to a combination of lack of opportunity and poor workplace support.

Finally the data was examined to develop a model that included only those variables (or dimensions) that provided a good discrimination of level of skill. This resulted in a model that included only five variables, (i) planning and preparation, (ii) use of questions, (iii) open mindedness, (iv) challenging, and (v) Conversation Management. The first three of these dimensions have good face validity, and their inclusion is supported by the literature on interviewing (e.g. Milne & Bull, 1999; Hargie & Dixon, 2004) as being good practice. Indeed, Cherryman and Bull (2001) found that police officers rated these skills highly. The last two dimensions do not have support from the literature but are core aspects of the PEACE model, and their inclusion in a model relating to interviewing suspects suggests that PEACE is having some impact on police interviewing. Nevertheless, these five dimensions must not be viewed as a definitive list because the stepwise procedure only uses those variables that demonstrate good statistical discrimination rather than being based on good interviewing practice or the literature on interviewing. As was discussed earlier in this thesis there are a number of behaviours that are desirable at the beginning and end of an interview, that help the interview flow and facilitate future communication, (e.g. Milne & Bull, 1999; Hargie & Dixon, 2004) that could be expected to be included in this model. However, as discussed in the results these skills were poorly conducted by the current sample and did not provide good discrimination of level of skill. Until this situation is remedied the development of a definitive model for determining level of interviewing skill will not be possible.

A number of methodological criticisms can be levelled at this study, some of which have been introduced in the preceding discussion. As the sample is made up of operational interviews from the 'real world' it has was not possible to find an untrained sample who were totally naive concerning PEACE, or a trained sample that underwent the same training as each other. The method of data collection also meant that it was not possible to obtain full details regarding the interviewers. In particular, details of their length of service and interviewing experience, which as has been discussed elsewhere in this thesis may have an impact on the quality of interviewing, were not available. Therefore, it has not been possible

to determine whether these factors have an impact on the use of PEACE interviewing in the workplace.

Despite the initial findings of McGurk et al (1993), subsequent reviews have called into question the consistency of PEACE training (e.g. HMIC, 1994). Similarly, as has already be mentioned, it has not been possible to identify a supervision sample that received similar and consistent supervision, or to determine whether or not supervisors at sites without a supervision policy provide such supervision as a matter of good practice. Finally, some criticism could be levelled at the use of police officers to assess this data, in the light of previous research (Cherryman, 2000). However, it is police officers who will assess and develop their colleagues' skills in the workplace, and the assessors in this study had a great deal of experience in PEACE. Analyses of the double assessed tapes revealed that the raters achieved 79% inter-rater reliability, and previous findings of a 'confession' bias in police officers' ratings were not born out in this study. Consequently, it is proposed that the ratings presented in this study offer a good description of police interviewing skills.

Conclusion

In conclusion, the data from this study indicate that PEACE interviewing has started to develop police officers' skills when interviewing suspects, although social communication skills during the introduction and closure, together with the use of CM need to be developed further. In addition, the small number of improvements found as a result of a supervision of interviewing policy indicate that greater improvement could probably be made if such policies were rigorously applied.

STUDY 3 – THE IMPACT OF PEACE INTERVIEWING ON POLICE INTERVIEWS WITH VICTIMS AND WITNESSES

Introduction

Research, in Britain and the USA, has found that police officers believe the information provided by witnesses forms a crucial element of police investigations (Corporation, 1975; Kebbell & Milne, 1998). However, barristers and psychologists have been critical of the manner in which witnesses are interviewed by the police in Britain. Heaton-Armstrong (1995) (a barrister) argued that whilst police officers might have to marshal the disorganised thoughts of witnesses, in doing so they repeatedly ask questions with the risk of losing valuable information. Indeed, Heaton-Armstrong and Wolchover (1999) later suggested that such interviewing is so bad that officers manipulate the witness or the record of their account in what they term 'noble cause corruption'. The evidence that they used in support of this claim was anecdotal rather than being based on fact, in part because interviews with adult witnesses have not been open to scrutiny.

However, there is a wealth of research into the process of interviewing victims and witnesses. In the USA Loftus' (1979) seminal work demonstrated how the use of questions affected the quality and quantity of information obtained from victims and witnesses. Whilst, researchers in Britain, Germany, the USA, and Canada examined the best method of interviewing child witnesses. In Britain this culminated in the production of the 'Memorandum of good Practice for Video Recorded Interviews with Child Witnesses in Criminal Proceedings' (Home Office & Department of Health, 1992). Not all witness interviewing research was so specialized though and in the USA Geiselman, et al. (1984a) developed the Cognitive Interview (CI) to help police officers maximise the accuracy of eyewitness reports by developing cognitive techniques to enhance recall.

The CI originally consisted of four retrieval mnemonics from two well known cognitive theories; (i) Tulving's (1973) encoding specificity principle, which posits that a To Be Remembered (TBR) event is encoded in relation to the context that it was experienced and that retrieval of the TBR event will be more complete the closer that the retrieval cue matches the encoding context, and (ii) the multicomponent view of a memory trace (Bower, 1967), which posits that memory for a TBR event is made up of a complicated set of features and not a single whole memory like a photograph. The four mnemonics that resulted were, (i) reinstatement of context, (ii) report everything, (iii) change perspective, and (iv) recall an

event in a variety of different temporal orders. However, as a result of further studies Fisher and Geiselman recognised that the CI did not have sufficient structure for practical use, and that police officers' questioning skills were often inadequate for the task of interviewing. Consequently they developed an Enhanced Cognitive Interview (ECI) using further psychological knowledge from the fields of memory research and communication skills which they presented in the form of an interviewing handbook (Fisher & Geiselman, 1992). Subsequently a wealth of research has been conducted into the effectiveness of the CI\ ECI in the USA, Germany and Britain (Koehnken, Milne, Memon & Bull, 1999, provides a meta-analysis of the research) which has demonstrated that the CI\ ECI enhances recall of witnesses and victims of crime without reducing accuracy of the information obtained.

In Britain, Shepherd developed an interviewing protocol for police officers based on good social communication skills that he called Conversation Management (CM). In order to achieve this management he proposed an interview format based on a flexible script using the mnemonic GEMAC, which represents; greeting, explanation, mutual behaviour, and closure (see Milne and Bull, 1999, for an overview). During the mutual behaviour phase Shepherd suggested the use of an 'interview spiral' whereby the interviewee's account is divided into more manageable topics, each of which is summarised and then linked to the next topic to provide a logical structure to the interview. Despite the fact that Shepherd makes no distinction for using CM with a particular interviewee type in any of his papers (Shepherd & Kite, 1988; Shepherd, 1986; Shepherd, 1988), there is some suggestion (George, 1991) that it had primarily been used for interviews with suspects. The CM training presented for George's research included an additional two days (over the standard course) focussing on interviewing victims and witnesses.

George (1991) examined the impact of training police officers to use the CI, or CM, or the CI and CM together, in comparison with an untrained control group. He found that the CI only group obtained more information from real life victims and witnesses, and made a better use of questions than the other groups. However, the officers had difficulty using the CI mnemonics of; report everything, change perspective, and reverse order recall, although they did use the reinstatement of context mnemonic. The CM group performed only slightly better than the control group but those trained in CI and CM together were no better than the untrained control group. This is the only known study that has examined the impact of CM on police interviewing practice. George proposed that training CM and CI during the same course may have some interaction effect that reduced the impact of both interviewing styles. What George did find was a commonality in the officers' style of interviewer pre training (and post training for the control group), a schema that he labelled the 'standard police interview'.

This was characterised by the scarcity of open questions, and predominant use of closed questions, together with questions to extend\ clarify previously given information. The most common question was of the extension\ clarification – closed type. However, it was not just the type of questions that were similar but also the quantity of information obtained from them. This schema is remarkably similar to the findings of Fisher et al. (1987), in the USA, who identified that universally police officers frequently interrupted witnesses, used a question – answer format, and inappropriately sequenced questions.

Memon, Holley, Milne, Koehnken, and Bull, (1994) also examined the effectiveness of CI training for police officers. They assessed 33 interviews (recorded as part of the study) and found that officers trained to use the CI (by the researchers) only provided moderately clear instructions for the CI mnemonics which were not used efficiently. Indeed they found a different pattern in the use of the mnemonics than had George with context reinstatement, change perspective, report everything and focussed retrieval being the most commonly used mnemonics. Memon et al. (1994) suggested that these findings demonstrated a considerable variability in the use of the CI mnemonics. In addition, the 3 field studies that have been conducted to assess the impact of the CI/ ECI used selected officers who were trained by the researchers, they did not examine the effectiveness/ applicability of the CI/ ECI as a result of police training programs. Thus this study will enhance our understanding of the impact of the CI/ ECI on interviewing witnesses and victims when training is delivered by police trainers as opposed to researchers.

When the Association of Chief Police Officers (ACPO) developed the PEACE model of interviewing (an acronym for; Planning and Preparation, Engage and Explain, Account, Closure, and Evaluation), CM was becoming popular with police forces in England and Wales. At the same time there was growing number of officers (e.g. Bennet, 1990; George, 1991) who were examining and demonstrating the usefulness of the CI when interviewing witnesses. PEACE was developed to provide basic interviewing training for police officers and address the criticisms of police interviewing that arose during the 1980s and early 1990s. Whilst much of this criticism focussed on interviews with suspects, PEACE was intended to provide a framework for interviewing suspects, victims and witnesses by including both CM and CI to obtain an account. An initial evaluation of PEACE by McGurk, et al. (1993) included simulated interviews with witnesses as part of the assessment process. It was found that the trained group demonstrated a range of significant improvements in their interviewing style immediately after the course and six months later. However, coverage of 'points to prove' an offence did not improve (it had not done so for interviews with suspects either), and the closure phase could not be assessed due to the structure of the assessment

centre. This evaluation did not explicitly examine the use of the CI mnemonics, and real life interviews were not included because they were not routinely recorded (for adults). None of the subsequent evaluations of PEACE have examined interviews with witnesses.

The positive outcome of the initial PEACE courses was contrary to other research being conducted at the time by George (1991). Similarly another study conducted at that time also presented a less positive picture regarding witness interviews. McLean (1992) examined a small sample (16) of real life interviews recorded specifically for the study. The focus of this analysis related to amount of talk time, number of topics, and question types. It was found that officers were directive in style, rapidly changing topic, and taking up most of the talk time, rather than allowing the witness to present their account (similar to that found by George (1991) and Fisher et al. (1987)). Indeed, McLean (1992) suggested that during interviews, police officers treat witnesses worse than suspects.

It is difficult to determine from the research whether the interviewing of witnesses has been improved as a result of PEACE, because as mentioned above, interviews with adult victims and witnesses are not routinely recorded. Questionnaire surveys (Kebbell, Milne & Wagstaff, 1999; McMillan, 1997) and a small diary study (Longford, 1996) examining officers' views and behaviour after a PEACE course found that officers perceived PEACE and specifically the CI to be a useful practical tool. Though whether this can be taken as a sign of its use is debatable due to the possible disparity between what officers do and what they say they do. In fact (Croft, 1995) suggests that officers are reluctant to use the CI when interviewing victims and witnesses as they perceive it to be time consuming. This results in it being used primarily for more serious offences. However, one small-scale study by Daniell (1999) examined seven witness interviews concerning serious crime. As a result of her analysis she (like McLean before) concluded that the interviews in her study were of poor quality and more of a search for information to support the interviewers preconceived ideas than a search for the truth. A view that is consistent with Heaton-Armstrong. Trafford (1996) in her evaluation of PEACE training noted that during a major investigation many of the officers were shown to be trained in PEACE although a review of their interviewing found that only two had sufficient skills. In order to overcome the problem remedial training was provided for the remaining staff and many of the original statements were reviewed.

As has already been discussed in this thesis, in order to ensure the transference of new skills to the workplace staff must be supported and encouraged to use the new skills. Therefore officers who undergo PEACE training should be encouraged to use these new skills in the workplace through supervision. Stockdale (1993) explained this to the police

service but cautioned that it would be unlikely to take place without significant organizational changes within the service. Memon et al. (1994) also concluded that police interviewing skills would not improve unless officers receive sufficient support in the workplace. However, in Study 1 of this thesis only ten respondents indicated that their force examined interviews with witnesses and two of these indicated that this only applied to specialist interviews (e.g. victims of serious sexual offences and child witnesses).

From the above the discussion it can be seen that there is little information concerning what actually happens during real life interviews with adult victims and witnesses. This is particularly true for those interviews relating to everyday or bulk crimes. Therefore, the purpose of this study is to address this issue and determine whether officers who are trained to use PEACE are more skilled interviewers (with adult victims and witnesses) than those who are not PEACE trained, and whether officer's who work at sites where there is a supervisory policy in place are more skilled than those where there is not such a policy.

Methodology

Design

This study was a factorial design with training (trained, untrained), supervision (Supervision, No Supervision), interviewee type (victim, witness), and crime seriousness (bulk crime, serious crime) as between subject factors. There were 65 independent variables relating to the PEACE model of interviewing, the cognitive interview and specific issues relating to eyewitnesses. These issues are discussed below in relation to the method of assessment.

Sample

Participants

Six police forces in England and Wales agreed to take part in the research which, as explained in Study 2, were selected on the basis of willingness to participate, geographical location, percentage of the force PEACE trained, and size of force, in order to gain a representative sample of forces across the country. In the end interviews were collected from six sites over half of which had a policy for interviewing supervision (see Table 3.1).

Table 3.1 Interviews with witnesses distributed by police force

Site	Supervision	No. of Interviews
Bedfordshire	Yes	5
Dyfed-Powys	No	19
Gloucestershire	No	10
Metropolitan	Yes	12
Northumbria	Yes	7
South Yorkshire	Yes	22

In all there were 75 interviews which were conducted by serving police officers. 61 interviewers were PEACE trained and 14 had not received such training (Table 3.2).

Table 3.2 Distribution of interviews with witnesses by supervision and training

	Trained	Untrained
Supervision	49% (37)	12% (09)
No Supervision	32% (24)	07% (05)

58 of these interviews (those relating to bulk/ volume crime) were recorded at the request of the author and not as a normal part of the investigation process. The remaining 17 interviews were conducted with witnesses to serious crime (i.e. murder) as part of the normal investigation process and in accordance with the "Murder Investigation Manual" (NCF, 1999) that advises the recording of all critical witness interviews. The range of offences are depicted in table 3.3.

Table 3.3 Distribution of interviews as a function of crime type.

Crime Type	Number (%)
Assault	22 (29%)
Theft	17 (23%)
Murder	17 (23%)
Criminal Damage	07 (09%)
Burglary	04 (05%)
Disorder	03 (04%)
Robbery	02 (03%)
Accident	02 (03%)
Handling stolen goods	01 (01%)

Rating scale

In order to assess the interviews with witnesses and victims research examining interviewing skills was trawled (e.g. Bull & Cherryman, 1995; McGurk et al., 1993) including work examining child witness interviewing and unpublished studies (e.g. Hall, 1997; Stevens, 1998). Whilst the various rating instruments all had good points, it was felt that no single instrument was suitable to conduct a full evaluation of interviews with adult witnesses and

victims using the PEACE model, particularly as many previous scales focussed on interviews with suspects. Consequently, a new instrument, that included elements of CM, CI and PEACE, was developed for the assessment of interviews with witnesses and victims. The resulting scale included items relating to communication skills such as explaining how the interview will be conducted (item 18), aspects of the PEACE model such as summarises the interview (item 54), CI mnemonics including reinstatement of context (item 38c), and legal guidance for witnesses (in England and Wales) such as the length of time an offender was observed for (item 73).

The scale was divided into nine main dimensions that broadly reflected the PEACE model, these included; (i) background information, (ii) planning and preparation, (iii) engage and explain, (iv) account, (v) use of CI components, (vi) interviewer characteristics, (vii) questioning skills, and (viii) eyewitness data, and (ix) closure. Individual items were rated as either, being present or not e.g. 'explains right to a copy of the tape', the quality of the behaviour on a five point scale e.g. exploration of information, and in relation to question types a count of each type of question. This combination of assessment criteria overcame the problems associated with the supervisors checklist that only allows for the recording of whether or not an item is present. The engage and explain dimension focussed on the important communication skills of rapport building and explaining the interview purpose and process. Whereas, the account phase provided a breakdown of the CM style of interview by examining such behaviours as developing topics and the use of summaries and links. This dimension also examined issues that had previously proved to be problematic for officers such as dealing with difficulty (Baldwin, 1992) and covering the points to prove an offence (McGurk et al., 1993). A separate section was then provided for assessing the use of the CI mnemonics. In order to provide continuity between this scale and the one used in study 2 interviewer characteristics were again assessed. The use of particular types of question by police officers when interviewing victims and witnesses has been criticised in the literature (Fisher et al., 1987; George, 1991) so 10 questioning behaviours were included in the scale. There are few legal requirements for interviewers to consider when interviewing victims and witnesses, however the judge in *R v Turnbull* [1976] suggested that eight factors needed to be taken into consideration in relation to eyewitness identification and their use was included in the scale. Finally, six behaviours relating to interview closure were examined and an overall assessment of the interview quality requested.

Following construction of the scale a draft copy was disseminated to police officers and academics for comment. The scale resulting from their comments contained 80 separate items and can be found at Appendix E. In addition to the scale itself, a list of definitions was

developed to aid the consistency of rating. Advice and definitions were provided for just under half of the items in the scale, in the main these definitions related to the items for which rating was assessed using a five points scale. For example, each rating for overall interview outcome was explained (item 5), suggestions were provided on how evidence of rapport building might manifest itself (item 21), and similarly open mindedness (item 41). In addition, the advice and definitions reiterated the fact that types of question should be counted, and provided explanations for three of the CI mnemonics that were known to be problematic in the police service across England and Wales. The overriding criteria for including an explanation was whether or not the author believed that there could be differences in interpretation at that particular time. A complete set of instructions and definitions can be found at Appendix E.

Assessors

The issue of who should rate the interviews was the same as discussed previously in this thesis in relation to interviews with suspects. Once again ecological validity was an important issue and it was decided to use police officers as raters. As with Study 2, all raters had to have (i) experience of teaching PEACE, (ii) experience of using PEACE, and (iii) experience of conducting research/ evaluating PEACE interviews. This was supported by the provision of a definition list (see Appendix E) to improve inter-rater reliability. A pool of 15 raters from different forces across England and Wales and who met the above criteria, assessed the interviews.

Procedure

Due to interviews with adult victims and witnesses not being regularly recorded, most of the data for this study had to be specially recorded. One of the consequences of this was that there was no formal protocol in place for the recording (and using recorded witness and victim interviews as evidence). Advice was sought from the Crown Prosecution Service and the recordings were submitted with the police case files as unused material. In addition, to facilitate the recording, each of the liaison officers was provided with twin deck tape recorders and asked to obtain 30 interviews. However, due to the unusual nature of recording interviews with witnesses all of the sites found difficulty in obtaining 30 interviews. One of the original sites was unable to record any interviews, whereas another two sites could only record two and five interviews. Eventually, 58 interviews with victims and witnesses of bulk crime were recorded. So in order to extend the data set and examine whether crime seriousness had an impact on the interviewers' behaviour, a further 17 interviews were obtained from forces that recorded interviews with witnesses in cases of serious crime as part of the investigation process.

As with the interviews in Study 2, the witness and victim interviews were sent to the author who then forwarded the audio tapes, assessment instruments, and instructions to the raters using a secure delivery system. Each rater assessed approximately eight interviews from two different locations (four from each). All rating was conducted blind in that raters did not know whether trained or untrained officers conducted the interviews. Raters were not provided with interviews from their own force. When the assessments were completed they were returned to the author for analysis.

Results

Statistics

The quantitative data in this study consisted of a mixture of continuous and dichotomous variables. The independent variables were training, supervision, and crime seriousness whilst the dependent variables examined a range of good interviewing practise that make up the PEACE interview. As the continuous variables conformed to the three assumptions for using parametric tests (e.g. normal distribution, equal variances, and measured on an interval scale) it was decided to conduct a MANOVA for each independent variable, and (because PEACE is divided into five phases) for each phase of the interview. Due to the fact that the number of questions asked could be related to interview length question use was examined using a MANCOVA with whole interview length as the covariate.

Dichotomous variables were examined using logistic regression which enables an analysis of the relationship of dependent variable to the independent variable. This test is suggested to be better than discriminant function analysis because it does not produce probabilities outside of the range 0 and 1, and the assumption of normality is not required (Howell, 1997).

Finally, stepwise regression was used to examine which continuous variables discriminated level of skill. These variables met the regression requirements in that the residuals were independent, homoscedastic (in that they had a constant variance), had a mean of zero, complied with the assumption of linearity, and did not depart significantly from normality (using the K-S Normality test, $p = < 0.05$). However, some variables did demonstrate multicollinearity, the management of these variables is discussed in the relevant results section.

Interviewer factors

Of the 75 interviews with witnesses and victims that were collated for this research, 54 (72%) were conducted by a sole interviewing officer, the remaining 21 interviews were conducted by two interviewers (17 male-male and 4 male-female). Most of the interviews (n=54, 76%) were conducted by a male interviewer, with the remainder conducted by a female (n=18, 24%). The rank of the interviewing officers was noted and was found to be mainly uniformed officers (66%), primarily constables and two sergeants. The remaining 34% were conducted by detectives, again primarily constables (with seven detective sergeants and one detective inspector).

Interviewee factors

For these interviews, 43 were conducted with witnesses to crime, and 32 with victims. 65 of the interviewees were adults (31 male; 34 female) and nine (1 missing value) with juveniles (3 male; 6 female).

Overview of the interviews

For the 58 bulk crime interviews two measures are provided relating to interview length. The first concerns the time taken to interview the interviewee before a statement was taken. However, because this was often not very long (mean = 13.5 minutes, sd = 19 minutes), the time for the whole interview including the statement writing phase, was also recorded. On average it took 14 minutes to actually interview the interviewee (range = 0 - 131 minutes). When including the statement taking phase of the interview, the average number of minutes taken to conduct the interview increased to almost 50 minutes (mean = 49, SD = 24) with a minimum of eight and maximum of 131 minutes. Thus, on average approximately a quarter of the time taken to interview the interviewee is spent conducting interviews relating to bulk crimes. Whereas, three quarters of the time is spent taking a hand written statement from the interviewee. These data are presented in table 3.4

Table 3.4 Interview length by crime type

	Interview		Interview & statement	
	Mean	SD	Mean	SD
Serious crime	93 min	39 min		
Non serious crime	13.5 min	19 min	49 min	24 min

Conversely, interviews conducted in relation to serious crimes did not include a statement taking phase as part of the tape recording. (Written statements are usually constructed from the tape recording and then checked by the interviewee at a later time.) As can be seen from

table 3.4 these interviews were considerably longer even without the statement writing phase (range 23 – 165 minutes).

During the interview a number of people apart from the interviewee and interviewer may have been present, this information was also collated. In this sample a solicitor was present in one interview only and their role as to why they were there was not explained. Appropriate adults were present in five interviews (two serious and three non serious interviews). It is a legal requirement to have an appropriate adult present when interviewing any young person (whether a suspect, victim or witness), in England and Wales. The role of an appropriate adult is to protect the interest of the child and ensure that they understand what is happening during the interview. Sometimes, officers will request the presence of an appropriate adult when interviewing an adult witness with special needs, in order to demonstrate that the interview was conducted fairly. Indeed, one of these interviews was with an adult, and four with the juveniles. Thus over half of the interviews with juveniles (5) were not conducted in the presence of an appropriate adult. In addition, the role of the appropriate adult was only explained in one of the interviews (this interview related to serious crime), the interview with the adult interviewee. No other persons were present in the sample of interviews examined.

Interviews with suspects take place at police stations this is not necessarily the case with witness and victim interviews. The actual place where the interviews were conducted included the witness/ victims place of work, home, police station and other locations (see Table 3.5). As can be seen from table 3.5 most serious crime interviews were conducted at police stations whereas the majority of non serious crimes were recorded at business premises (although it should be noted that there were a number of missing values). It was interesting to note that there were numerous interruptions and distractions in the interviews which were conducted outside the police station (i.e. where the interviewer had no control over the interview environment). In one case tea was brought in by the partner of the interviewee who then sat down and even answered questions for the interviewee (as she was also a witness).

Table 3.5 Distribution for the place of interview.

Place of interview	Serious crime	Non serious crime
Business	0	25
Home	0	12
Police station	9	0
Other	3	0

Raters were asked to assess the overall outcome of the interview, although it is to be noted that this measure does to some extent depend on the actual interviewee being interviewed. Nevertheless, as can be seen from figure 3.1, the majority of interviewers (56%, $n = 39$) were deemed to only obtain a partial account from the interviewee. Indeed, raters noted that it was frequently frustrating to listen to the interviews as it was often obvious even from an audio-recording of the interviews that (in their opinion) more information could have been elicited from the interviewee if more appropriate interviewing methods had been used by the interviewers.

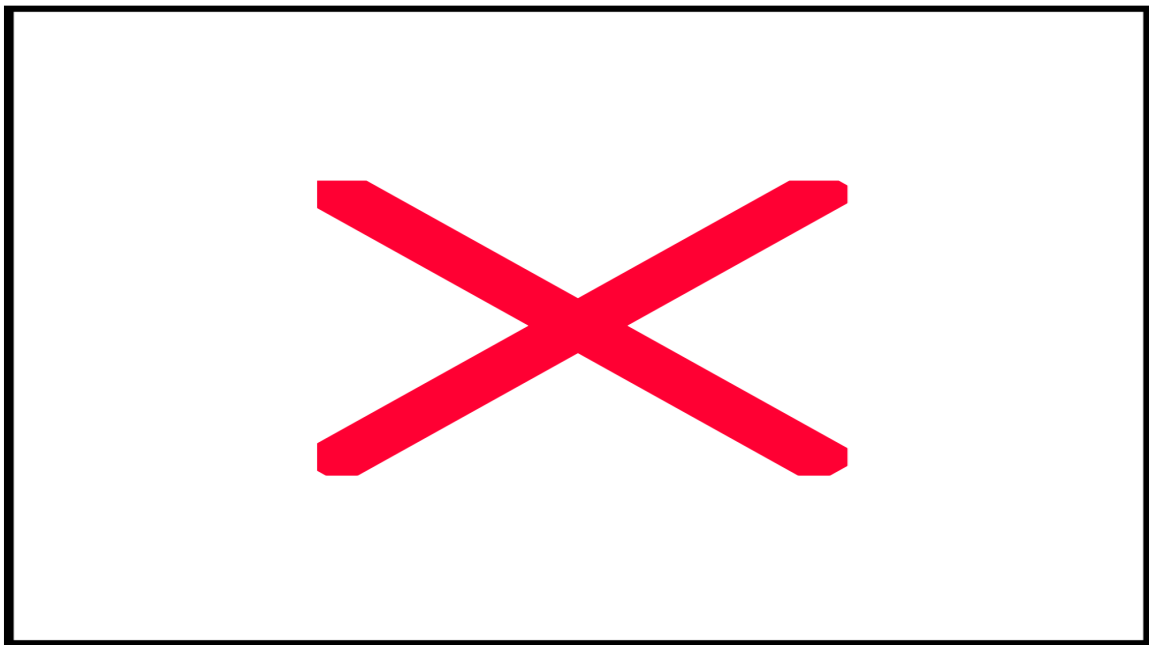


Figure 3.1 Overall assessment of interview outcome

Raters were also asked to rate each interviewer's performance globally over the whole interview as being either: (i) 'skilled'; (ii) satisfactory; or (iii) 'needs training'. Figure 3.2 demonstrates that nearly half of the interviewers (43%, $n = 32$) were rated as requiring training, and only two interviewers were rated as skilled. (An analysis conducted by level of skill is provided later).

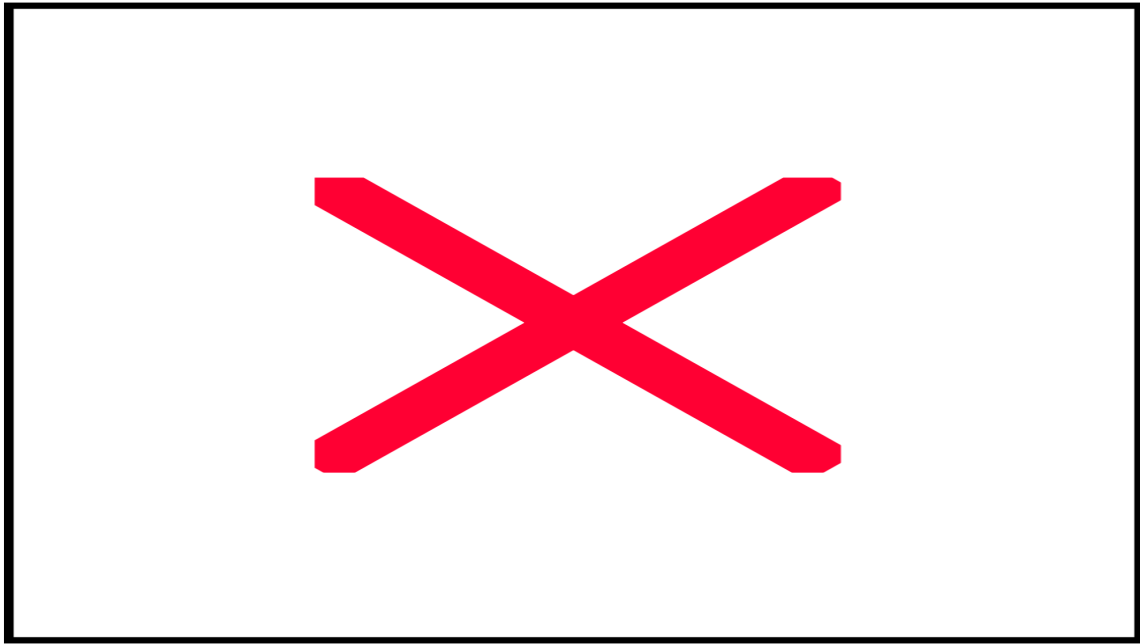


Figure 3.2 Demonstrates overall performance level

Planning and preparation - overview

Planning and preparation is the foundation of a PEACE interview but is particularly difficult to assess from an audio-recording of an interview. A five point scale was used ranging from 'no apparent planning' (1) to 'a good understanding of the case' (5). The mean score was 2.9 (sd = 0.6), just below 'average', and as can be seen in figure 3.3 a normal distribution was demonstrated.

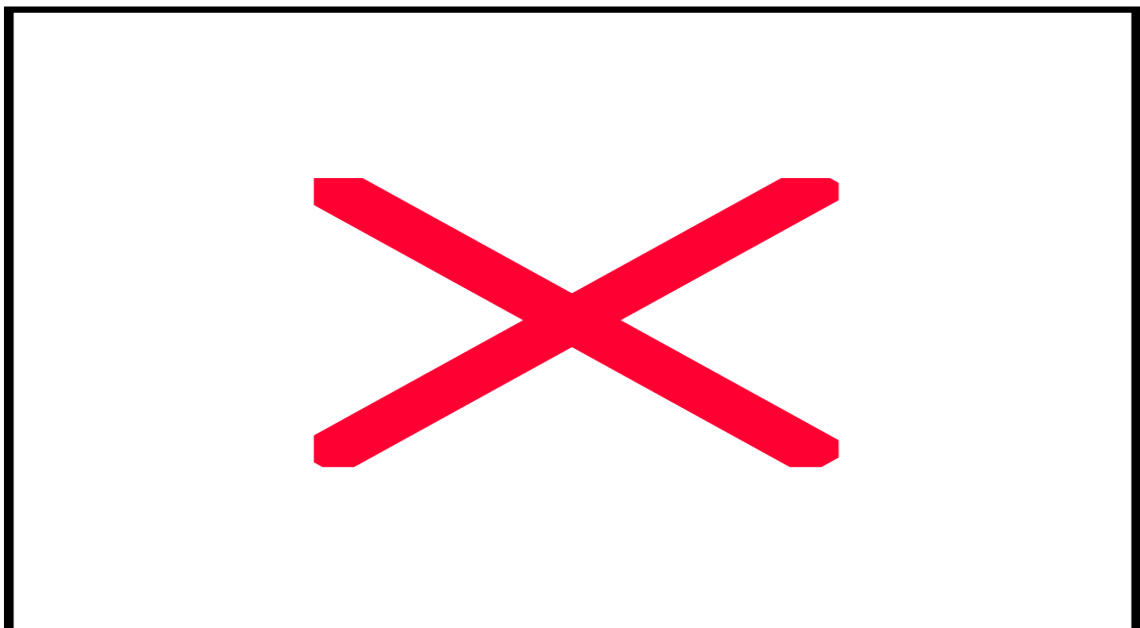


Figure 3.3 Overall assessment of planning and preparation

Engage and Explain - overview

In interviews with suspects interviewers are required to provide a range of information at the start of the interview. The initial information usually consists of date, time and place of interview. In interviews of witnesses/victims this information was given in approximately two-thirds of the interviews (date = 59% (n = 34); time = 55% (n = 32); location = 60% (n = 35).

Interviewers then tended to introduce themselves (a process rated on a 5 point scale). The mean score for this behaviour was 3.3 (sd = 1.5) with 23% of interviewers not introducing themselves at all (see Figure 3.4). In addition, it was found that the interviewers were not introducing everyone present in 32% (n = 24) of the interviews.

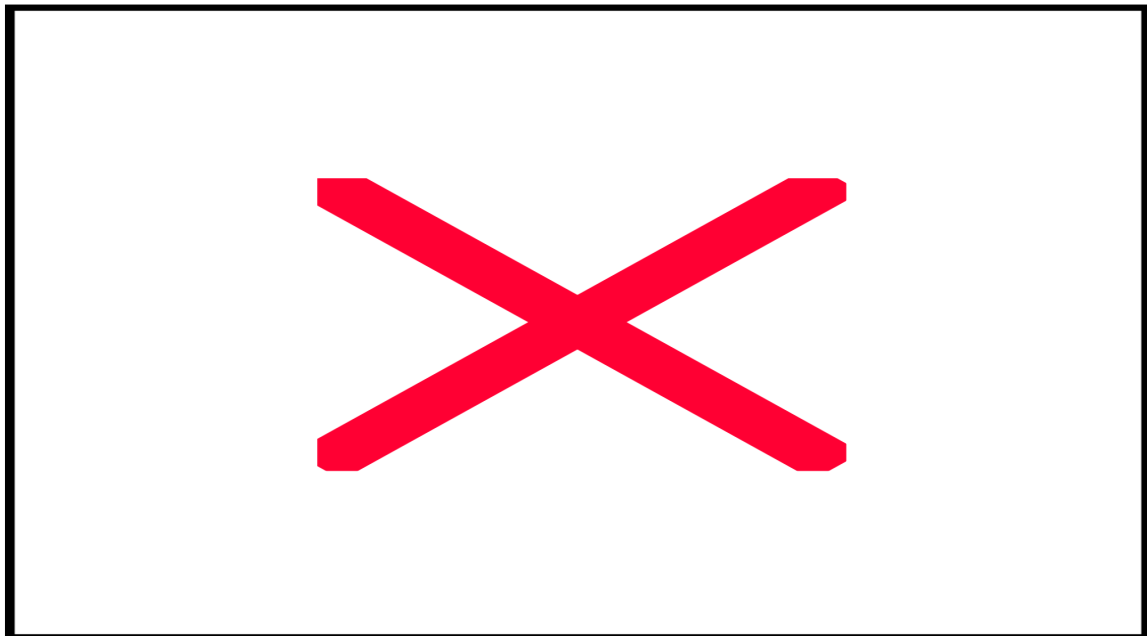


Figure 3.4 Assessment of interviewers introduction of self

The next phase of 'engage and explain' should include an outline of the ground rules and processes to be expected by the interviewee. The following three interview behaviours were examined; (i) explains interview purpose; (ii) provides details of routine and route map; and (iii) explains that the interview is an opportunity for the interviewee to give their account. The three behaviours were rated from one (not given) to five (given in a clear and professional manner), and as can be seen in figure 3.5 in the majority of the interviews assessed these behaviours were not used appropriately. Indeed, in many cases the information was not provided at all. The means for all three behaviours were rated below the mid point on the scale; interview purpose mean = 2.5 (sd = 1.3) ; routine and route map mean = 2.0 (1.1) ;

and explains that the interview is the opportunity to give their account mean = 1.9 (sd 1.0, range 1 – 4).

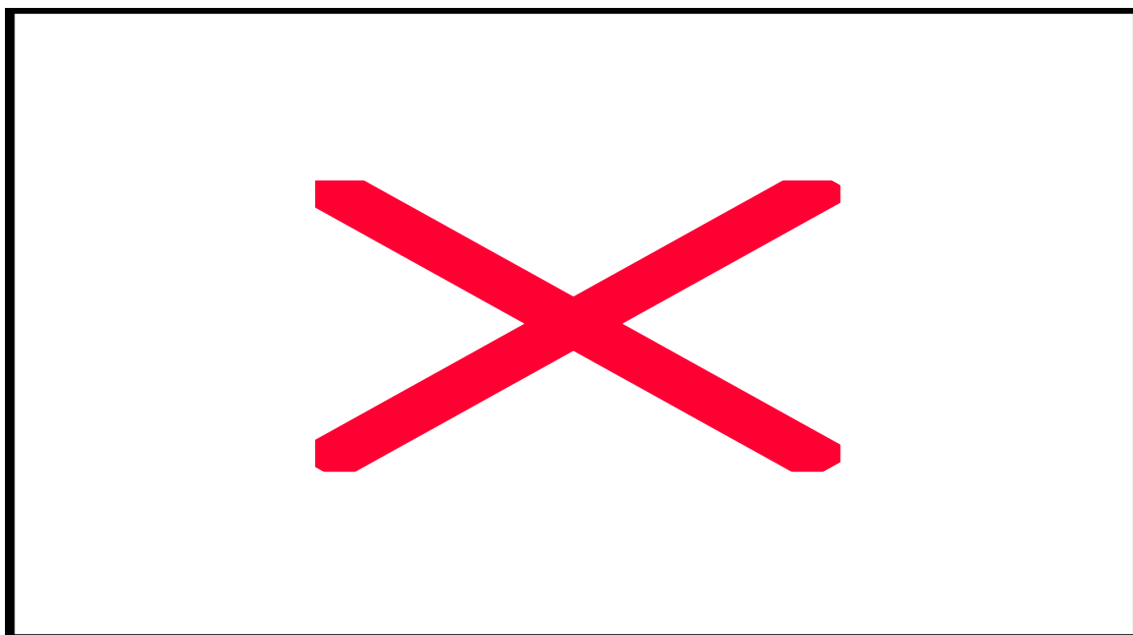


Figure 3.5 Overview of engage and explain behaviours

The final behaviour examined during this phase of the interview was rapport development, which has been demonstrated in much research to be an essential element of an interview with a witness/victim of crime (Milne & Bull, 1999). The raters were instructed to give this rating at the end of the interview, as rapport development is a continual process throughout an interview. In 32% (n=24) of interviews it was deemed that no rapport was established at all (mean = 2.3, sd = 1.1). Indeed, one rater noted that the interviewer came across like “it was just another statement, no personal rapport with victim”. One method of demonstrating rapport is to use the interviewee’s own words in questions, this practise was rated on a five point scale. One third of interviewers were judged to rarely use the interviewee’s own words, whilst another third another third were judged to regularly use them (mean = 2.9, sd = 1.1).

Account - overview

The PEACE model provided two methods of obtaining an interviewee account, the cognitive interview (CI) and conversation management (CM). Both methods advocate that having explained the outline of the interview, the interviewee should be encouraged to give their account of events in an uninterrupted manner. The interviewer then breaks this account into small topic areas which are examined in a logical sequence to elicit more detailed information, whilst dealing with any difficulty which may arise.

It was found that in the interviews with witnesses and victims minimal effort was made to encourage the interviewee to give their own account of the event, with 52% of interviews being rated as one (never encourages) or two (little encouragement) on the five-point scale. This belief was also reflected in the large number of interviewers who were judged by the raters not to have obtained a full account (in their opinion) from the interviewee (Figure 3.1). Although the mean, for exploring the information that was provided, was at the mid point on the scale. However, in almost half the interviews (47%) it was judged that there was little topic development, or appropriate structure and witness led sequencing. Consequently, it is not surprising that the use of summaries and links was judged to be poor (see table 3.6).

Table 3.6 Mean scores for account phase behaviours

Account behaviours	Mean	SD
Encourage account	2.5	1.3
Topic development	2.5	1.2
Deal with difficulty	3.3	0.9
Appropriate structure	2.6	1.1
Keep to topic	3.3	0.9
Explores information	3.1	0.9
Summaries and links	2.3	1.1
Clarification	3.1	0.8
Covers points to prove	2.8	0.9

What the interviewers did achieve was to keep interviewees focussed on relevant topics and deal with any difficulties that might arise rather than becoming flustered and close the interview.

Two further areas of the account to be assessed were the manner in which clarification was sought (that is, whether it was problem solving (5) or confrontational (1)) and the extent to which the points to prove were covered (all (5) to none (1)). The responses are shown in figure 3.7 and at first sight both criteria appear to demonstrate a near normal distribution. However, it must be noted that all points to prove an offence should be covered when interviewing a potential victim or witnesses therefore this dimension should have shown a positive skew. In this sample 43% (n = 23) of the interviews were rated as not having covered the points to prove very well.

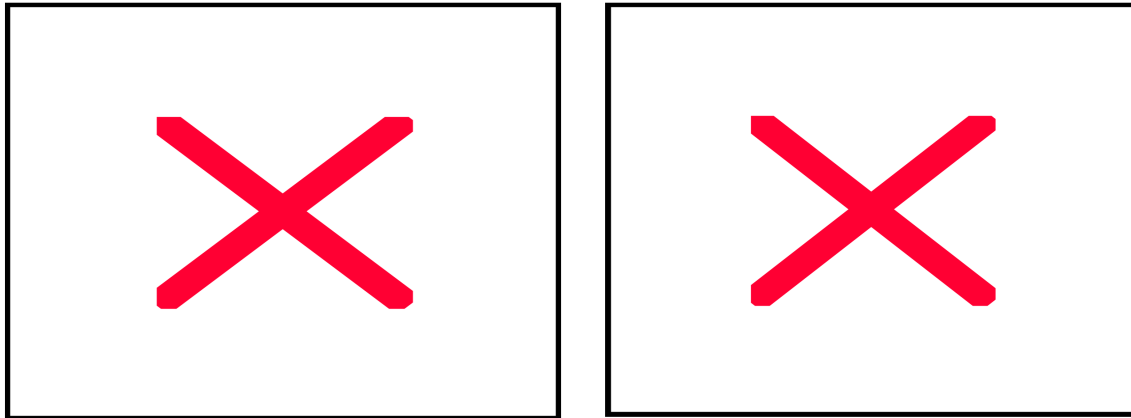


Figure 3.7 Assessment of clarification and points to prove

Certain behaviours related to questioning termed questioning skills, were examined across the interview. Firstly, raters were asked to assess the use of questions across the whole interview (mean = 2.6, sd = 0.9). 53% of interviewers were deemed to score 1 or 2 on the 5 point scale (i.e. were deemed to never or almost never use appropriate questions in the interview).

Indeed from figure 3.8 it can be seen that the majority of interviewers use closed questions (mean = 32.5, sd = 36.7, range = 0 - 180). This was followed in terms of frequency of usage by open-ended (mean = 25.2, sd = 32, range = 1 - 166) and leading questions (mean = 10.2, sd = 14, range = 0 - 81). Nevertheless, of all questions asked, the majority were judged as appropriate questions (55%) as opposed to poor questions (45%). Despite this, there are a large number of leading questions being posed in investigative interviews with witnesses and victims of crime. It is interesting to note that on average 71 questions are being asked per interview. When bringing the mean interview length into the equation it can be seen two questions were posed on average every minute of the interview. Indeed, this was noted by a number of the raters who commented, for example: *“rapid-fire Q-A session to a victim who could not cope”*. One interviewer actually described the process as: *“not an interview as such, I am just taking a statement off you”* - this was to a highly traumatised victim. The predominant use of closed questions and the view that interviewers were *‘just taking a statement’*, indicates that interviews were clearly highly interviewer driven, concentrating on the product rather than the account, with a confirmatory bias.

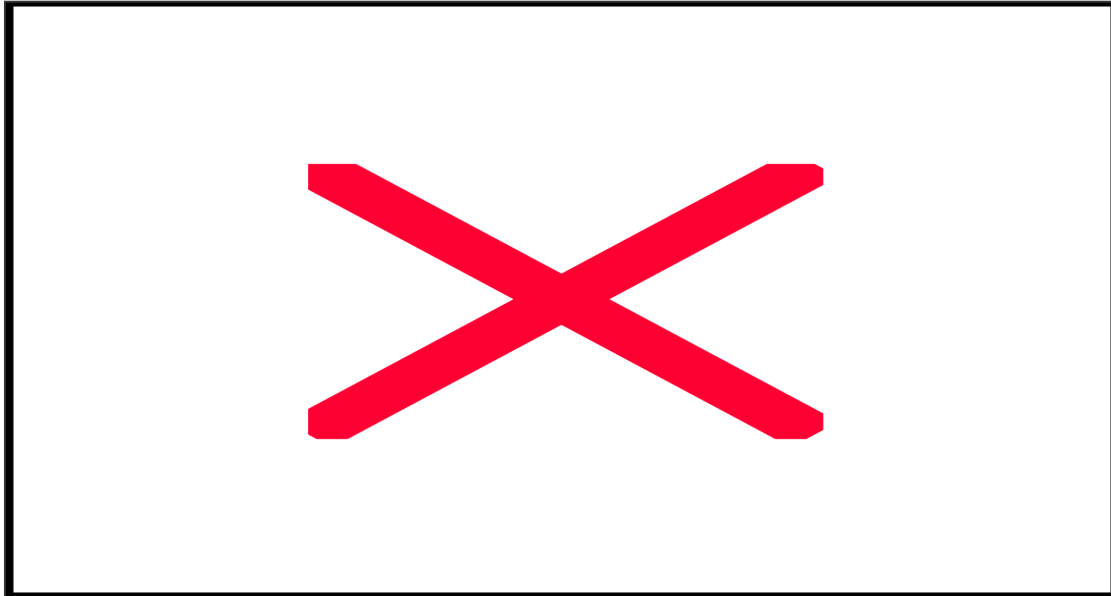


Figure 3.8 Overall means use of question type per interview

Four other behaviours relating to questioning were examined across the interviews. There was little evidence of using statements (e.g. utterances that do not form a question) (mean = 2.4, sd 7.2, range 0 - 56), overtalking (mean = 1.1, sd = 3.1, range 0 - 22), and interrupting the interviewee (mean = 1.3, sd = 2.8, range 0 - 14). The opposite of interruptions, is to allow for pauses within an interview (mean = 2.5, sd = 1.3). The use of pauses is thought to be crucial to a successful interview. However, this behaviour was not believed to be carried out appropriately in the interview. Indeed in 34% of interviews it was deemed that no pauses were allowed for (or a score of 1 or 2 were given on the 5 point rating scale).

The two models of interviewing incorporated into the PEACE framework, conversation management (CM) and the cognitive interview (CI), were assessed (using a 5 point scale) for the extent to which they were put into practice. Overall, CM (mean = 2.3, sd = 1.3) was used more frequently than the CI (mean = 1.7, sd = 1.1). However, neither were put into full use. Indeed, it was deemed that there was no evidence of the CM model in 60% of interviews, and no evidence of the CI in 80% of interviews.

As the CI was originally developed for interviewing witnesses and victims, its individual components were broken down to see which of the CI mnemonics were being used. figure 3.9 demonstrates the use of each of the CI components. As can be seen, none of the eight components were used very often within the interviews assessed. Indeed, none of the means scores were greater than the mid point on the scale.

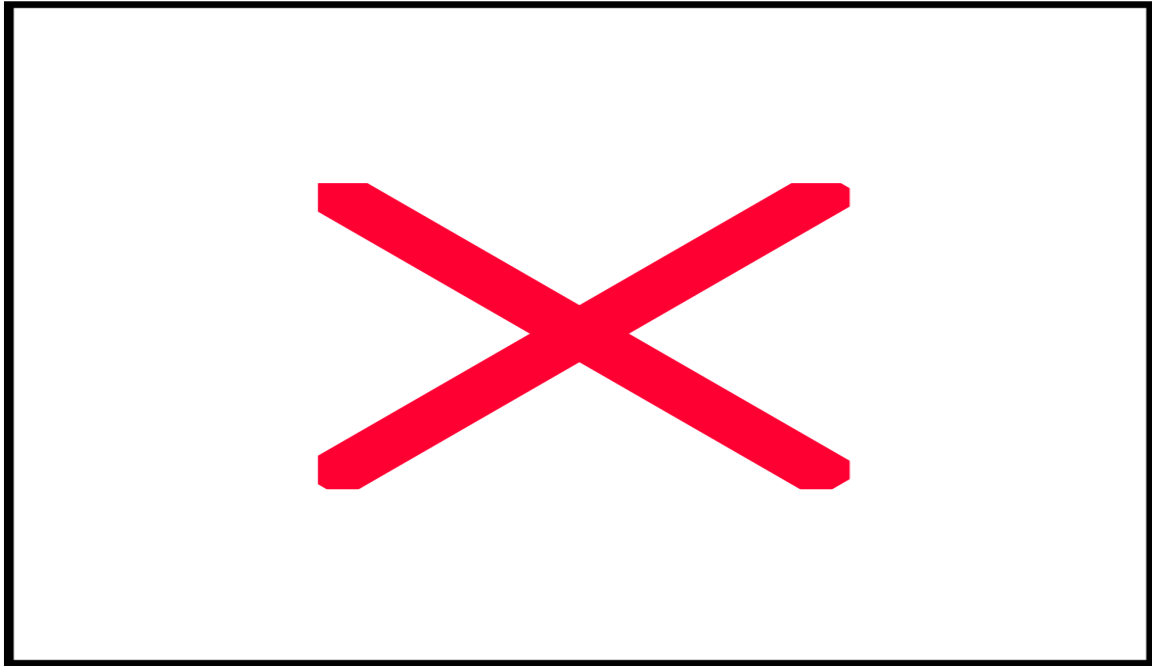


Figure 3.9 Means for use of the cognitive interview mnemonics

In addition, to the structure of an interview it is important to consider the impact an interviewer has on the outcome of an interview. Five interviewer characteristics were examined and on the whole the interviewers were seen to be confident (mean = 4, sd = 0.7), with good communication skills (mean = 3.7, sd = 0.9). The interviewers had 'average' ratings for open-mindedness (mean = 3.3, sd = 0.9), flexibility (mean = 3.3, sd = 0.8), and active listening skills (mean = 3.1, sd = 0.9). About 23% of interviewers were rated below the mean for open-mindedness and flexibility and this rose to 28% for active listening.

Interviewing witnesses often involves obtaining identification evidence. *R v Turnbull* [1979] provided guidance on issues that should be considered when obtaining witness accounts in England and Wales, often referred to by the mnemonic ADVOKATE. Raters were asked to examine whether the use of ADVOKATE was appropriate. It was deemed that when required it was appropriately employed in 65% of the interviews. Each of the eight components of ADVOKATE was then examined for quality of exploration. figure 3.10 shows that on the whole none of the areas of ADVOKATE was comprehensively explored, indeed over 50% of the ratings for each item was '1', indicating that they had not been explored before.

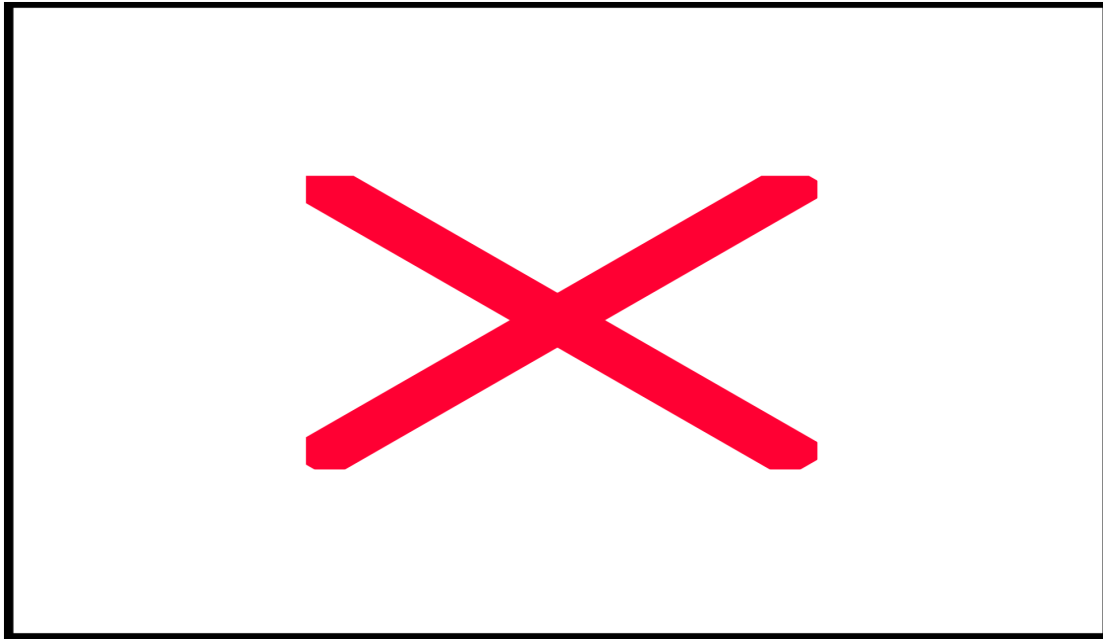


Figure 3.10 Means for use of the ADVOKATE elements

Closure

A number of behaviours which are deemed good when finishing the interview were examined (i.e. social communication, interview practice, and common courtesy). The first concerns whether the interviewer summarised the interview. This was not judged to be done in 42% (n = 30) of the interviews (mean=2.2, sd = 1.3). It is also good practice to ask the interviewee if there is anything they would like to add or alter. This was asked in the minority of interviews (41%, n = 29). In addition, the interviewee should be given details of how to give more information. Only in a very small proportion of the interviews (14%, n = 10) did this happen. The interviewers also did not explain very well to the interviewee what would happen next (mean = 1.7, sd = 1.1, range 1 - 5). Indeed, they only attempted to do this in 20% of interviews (n = 14). Even the simple tasks of recording the date (31%, n = 17) and time (51%, n = 37) were frequently not done. As a result, 'overall closure' was rated very low (mean=2.1, sd = 1.1, range 1 - 5). Figure 3.11 demonstrates a negative skew for this behaviour. The raters commented on the lack of closure in the following manner, "*(the interview was) spoilt by lack of closure*"; "*Own agenda, abrupt finish, the interviewer did not believe the witness*"; and "*in a hurry (the interviewer), no enthusiasm, q-a session, and had to ask victim's name on several occasions*".

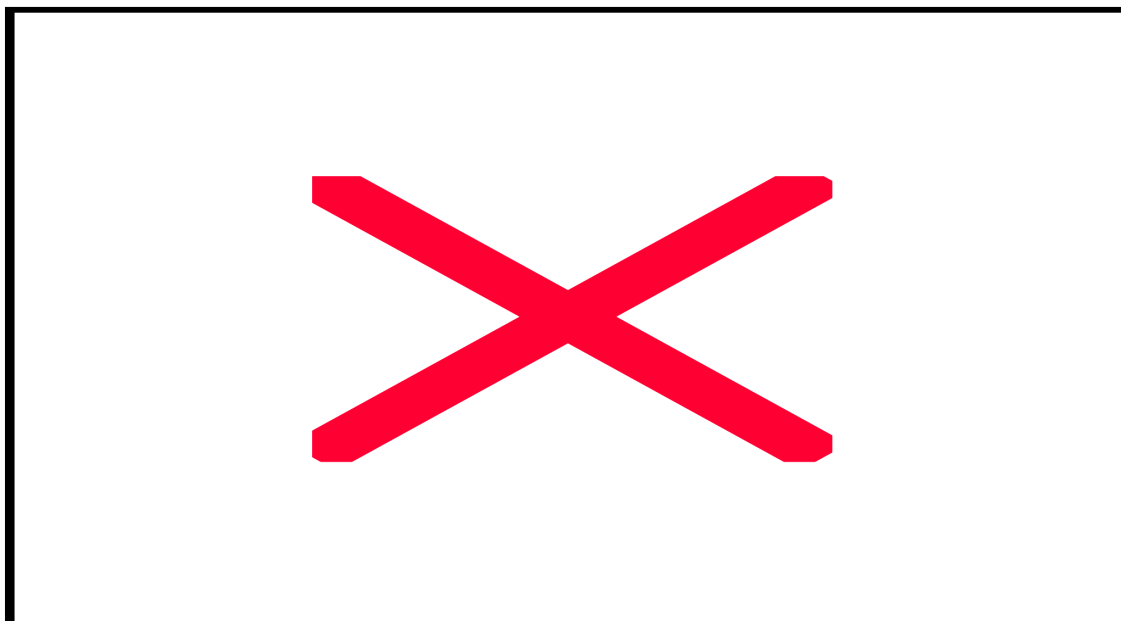


Figure 3.11 Overall assessment of closure

Training and supervision

61 of the interviews were conducted by PEACE trained interviewers, whereas 14 of the interviews were conducted by officers who were not trained in the PEACE model of interviewing. Whereas, 46 of the interviews were conducted within forces with a supervision policy for interviewing and 29 at locations without such a policy. However, it must be noted that all supervision policies concern the supervision of interviews with suspects only and not one force had a supervision policy which included interviews with witnesses/victims.

A MANOVA was conducted on across all of the continuous variables but could not be computed, probably due the small number of untrained officers in the sample. MANOVA's were then conducted on the categorical variables for each element of PEACE and these are reported below. In addition, ANOVA's were conducted on those variables that did not neatly fit into a specific element of PEACE. The remaining (dichotomous) variables were examined using logistic regression

Interview length

There were no significant main or interaction effects for training and supervision in relation to the length of interview.

Interview outcome

Interview outcome related to the completeness of the account that was judged to have been obtained. Completeness was rated on three levels, (i) a brief account (which is self explanatory), (ii) a partial account whereby the interviewer partially explored the information provided, and (iii) a comprehensive account when the interviewer was judged to have explored the witnesses account in detail. Figure 3.12 displays the interview outcomes of the interviews as a function of training and supervision. As can be seen most of interviewers (in each condition) were deemed to have obtained a partial account, and less than 10% of interviews in each condition were judged to be brief accounts.

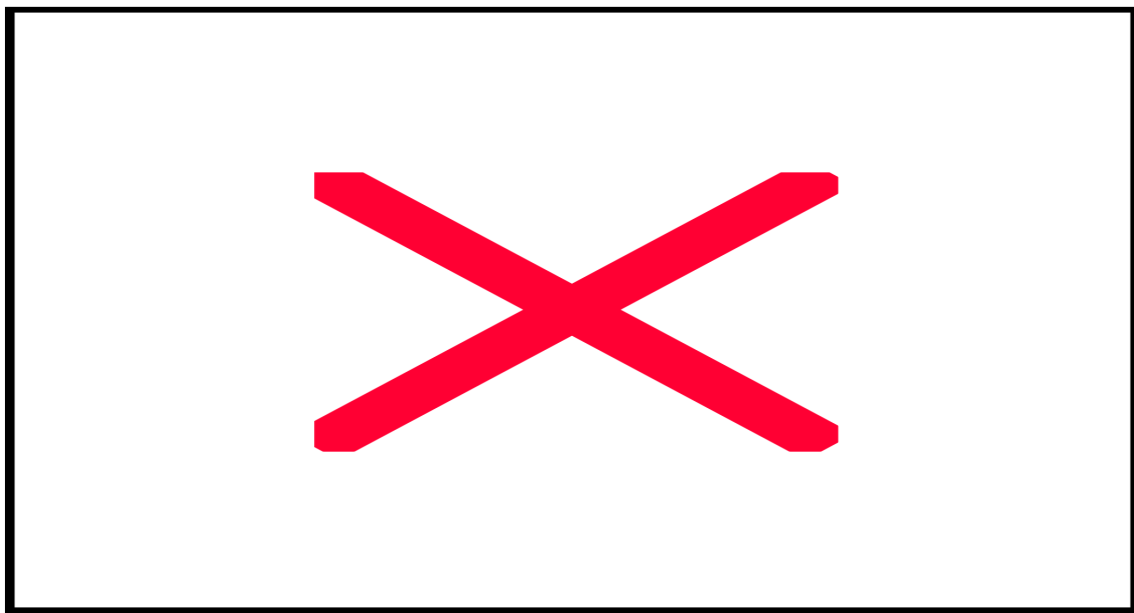


Figure 3.12 Interview outcome as a function of training (as a percentage)

Overall there were no significant differences (using logistic regression, or ANOVA after converting the results to numbers) for those officers who were trained compared to those who were not, or for those interviews that were conducted at locations with a supervision policy and those that were not.

Overall interview assessment

The raters were asked to provide an overall level of skill for which there were five levels of analysis, (i) highly skilled, (ii) skilled, (iii) satisfactory, (iv) adequate, and (v) needs training. Only one officer was judged to be highly skilled (a trained officer) so it was decided to use the same strategy as in study 2 and collapse skilled and highly skilled ratings into the category of skilled, whilst satisfactory and adequate were collapsed into the category of satisfactory. As can be seen from table 3.7 all of the skilled interviews were conducted by trained officers at locations with a supervision policy.

Table 3.7 Interview by level of skill as a function of training and supervision

	Trained	Untrained	Supervision	No supervision
Skilled	8	0	8	0
Satisfactory	27	7	18	16
Needs training	26	6	19	13

However, there were no significant differences (using loglinear regression and ANOVA on assessment converted to a score) for those officers who were trained compared to those who were not, or for those interviews conducted at locations with or without a supervision policy, for the overall assessment of the interview. Trained and untrained interviewer groups both had about half rated as in need of training and the other half as satisfactory, as did those conducted at locations with and without a supervision policy.

Planning and preparation

Officers trained in PEACE were not significantly better at 'Planning and preparation' than those who were not trained. Nor were interviews conducted at locations with a supervision policy significantly better than those locations without such a policy.

Engage and explain

Five continuous and four dichotomous variables were assessed for the 'Engage and Explain' phase. The continuous variables were, (i) introduction of self, (ii) an explanation of the interview purpose, (iii) providing details of the routines and route map, (iv) explaining that the interview is an opportunity for the interviewee to give their account, and (v) evidence of rapport building. They were judged using a five point scale. A MANOVA conducted on the continuous variables was significant for supervision (Wilks, $F_{5,64} = 2.626$, $p = <0.05$), but not for training and there was no interaction effect. This finding indicates that the provision of a supervision policy has an impact on this phase of the interview.

An examination of the ANOVA's for this phase of the interview found that supervision had a significant impact on the manner in which officers introduced themselves ($F_{1,68} = 12.673$, $p = <0.001$). Interviewers at locations with a supervision policy introduced themselves more clearly (mean = 3.7, sd = 1.3) than those at locations without such a policy (mean = 2.6, sd = 1.4). There was also a significant interaction effect for the manner in which officers introduced themselves ($F_{1,68} = 4.071$, $p = <0.05$) with untrained officers at locations with a supervision policy introducing themselves more clearly (mean = 4.4, sd 0.9) than trained officers at such locations (mean = 3.5, sd = 1.4). In addition, the impact of training on rapport

building just missed being significant ($F_{1.68} = 3.672$, $p = <0.05$) with trained officers being judged as providing better rapport building (mean 2.4, sd 1.1) than those not trained to use PEACE (mean = 1.7, sd = 1).

Three other aspects of the introduction that were examined related to the provision of the date, time and place at the start of the interview. As can be seen from figure 3.13 this information was frequently missing from the introduction.

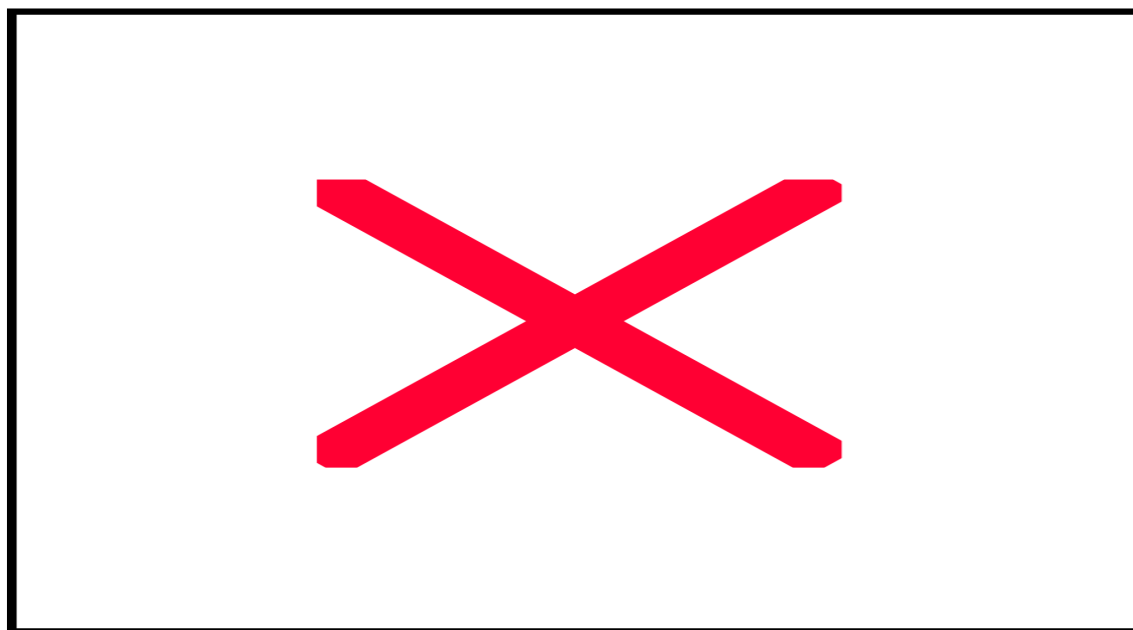


Figure 3.13 Percentage of interviews, in which the date/time/location were not recorded at the start of the interview as a function of supervision

Analysis of these data was conducted using logistic regression which provides an breakdown of whether an item is likely to be present or not. It was found that where there was no supervision policy in place interviewers were significantly less likely to record the date (three times less, Coef = 1.169, $p = <0.05$), time (four times less, Coef = 1.398, $p = <0.05$) and location (five times less, Coef = 1.687, $p = <0.05$) at the start of the interview.

There were no other significant main or interaction effects for this phase of the interview.

Account

A MANOVA conducted across the account behaviours (questioning skills, use of the interview models (CI and CM), ADVOKATE, and the individual characteristics of the interviewer) for training and supervision found no significant main or interaction effects.

Closure

Finally, with respect to training and supervision, there were no significant main or interaction effects for any of the closure behaviours examined for this study.

Crime Seriousness

There were originally 75 interviews, 17 serious crime and 58 volume crime. However, some of the volume crime interviews were conducted by untrained interviewers (whereas all of the serious crime interviews were by trained officers), thus for a better comparison to be made the interviews conducted by untrained officers of volume crime witnesses/victims were excluded from this part of the data analyses. This resulted in 17 serious cases and 44 interviews concerning volume crime, a total of 61 interviews that were all conducted by trained officers.

Interview length

According to police officers themselves a major factor as to why full interviews cannot be conducted concerns time and resources. This is why interview length was examined here comparing interviews of serious with those of volume crime.

There was a significant duration effect of crime seriousness ($F_{1,53} = 145.87$, $p = <0.001$; serious crime (mean = 93, sd = 39.254) volume crime (mean = 10.4, sd = 11.01)). Interviews took much longer in the serious cases. In all serious cases no statement was taken at the time of the interview. Instead the officer went away after the interview and drew up a statement directly from the audio recording of the interview. The resultant statement was then taken back to the interviewee at a later date for the interviewee to go through and sign.

When examining the total interview length (including the statement taking for volume crime) the interviews of serious crime interviewees still took longer ($F_{1,53} = 23.346$, $p = <0.001$; serious (mean = 93.00 sd = 39.254) volume crime (mean = 50.87 sd = 24.756)). Thus, although on average for bulk crime the interview (without statement taking) lasted approximately 10 minutes, when incorporating taking the statement from the interviewee this increased to 50 minutes, on average. The interviewers for bulk crime are only spending 19% of the interview actually interviewing the interviewee, and in a large number of interviews interviewing as such was non-existent, it was a statement taking exercise.

One rater noted that “the biggest impact listening to the tapes was the silence when the officers were writing the statement and the effect this had on the witness. You could hear

them sighing and making other noises of boredom". Similar comments were noted by a number of the raters remarking on many of the interviews assessed. For example: "very long pauses and irrelevant chat during the statement taking and also watching the TV during the process".

Interview outcome

It was found that there were significantly more comprehensive accounts elicited in interviews with witnesses to serious crime than bulk crime ($R = 2.1$, $p = <0.05$). Figure 3.14 shows interview outcome as a function of crime seriousness.

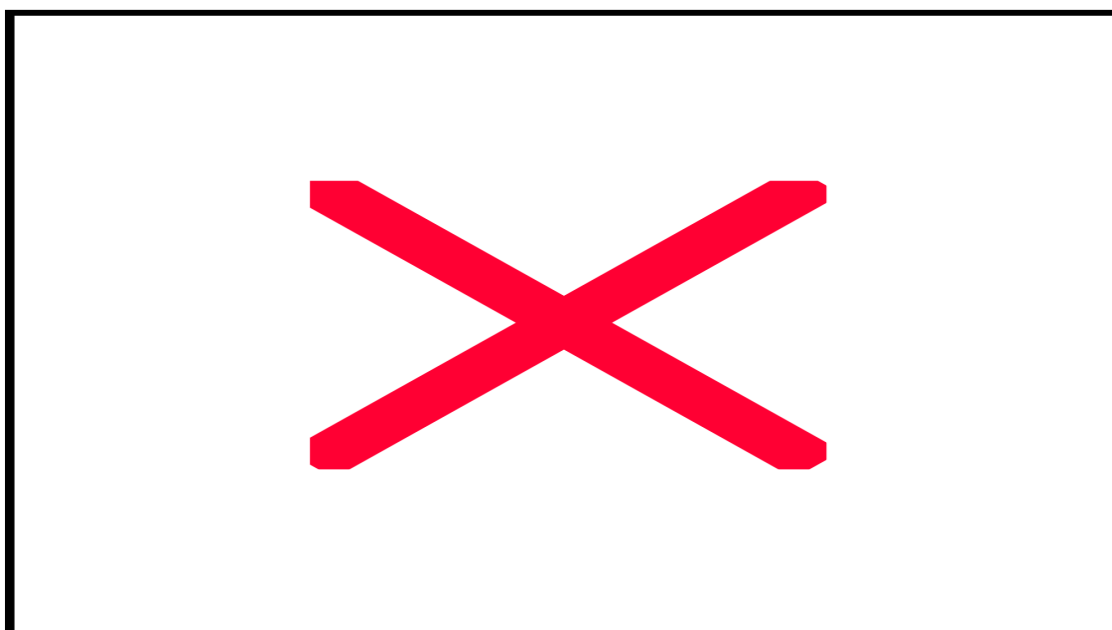


Figure 3.14 Interview outcome as a function of crime seriousness (as a percentage)

With 67% ($n = 15$) of serious crime interviews being rated as providing comprehensive accounts, whereas only 30% ($n = 13$) of the bulk crime interviews were rated in this category. In the main (60%, $n = 26$) bulk crime interviews with victims and witnesses were assessed as eliciting only partial accounts. Furthermore, 10% were rated as brief ($n = 4$) (no serious crime interviews were rated as brief).

Overall interview assessment

As would be expected, more of the serious crime interviews were considered as having a higher level of skills than the bulk crime interviews ($R = 2.5$, $p = <0.05$). However, as can be seen in figure 3.15, the skill range of the interviews of serious crimes spread evenly across the assessment scale. The skill range for bulk crime interviews was distributed across the bottom end of the scale. Indeed, only 4% ($n = 2$) of the bulk crime interviews were rated as

being conducted by skilled interviewers compared to 35% (n = 6) of the serious crime interviews.

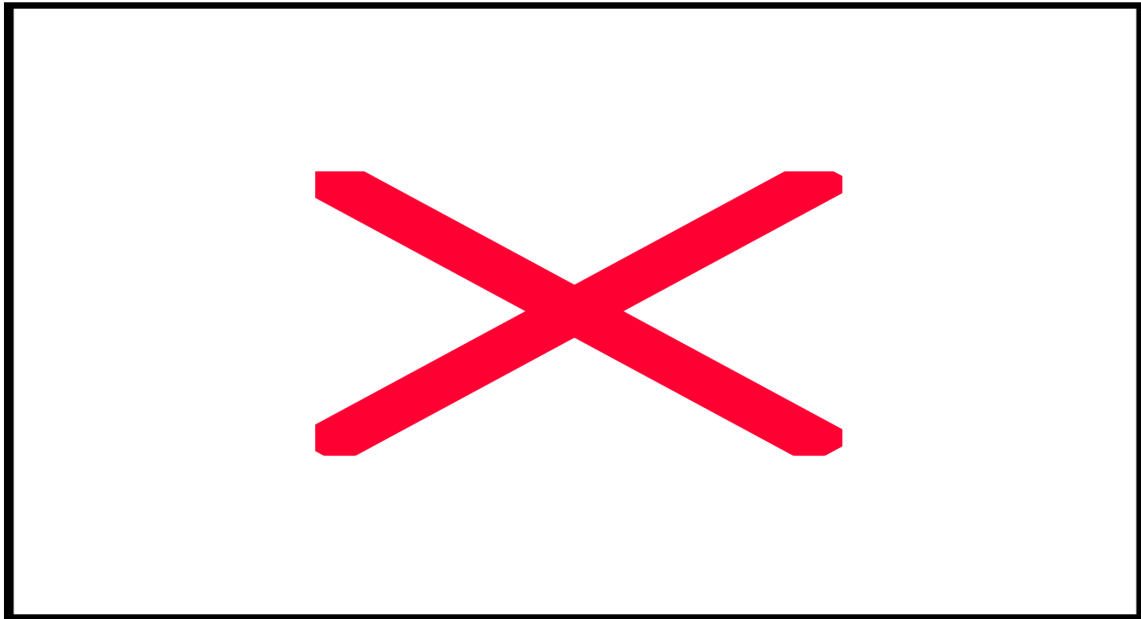


Figure 3.15 Shows interview skill level as a function of crime seriousness

Planning and preparation

No significant differences were found for planning and preparation as a function of crime seriousness.

Engage and Explain

During the engage and explain phase it was found that volume crime interviewers were significantly less likely to record the date (six times less likely, Coef = 1.74, $p < 0.05$), and time (five times less likely, Coef = 1.63, $p < 0.05$) at the start of an interview than serious crime interviewers.

It was also found that officers interviewing witnesses and victims of serious crime (mean = 4, $sd = 1.2$) were rated as significantly more competent at introducing themselves at the start of the interview than those officers (mean = 3, $sd = 1.4$) interviewing witnesses/victims to volume crime ($F_{1,59} = 7.39$, $p < 0.001$). In addition, interviewers with witnesses to volume crime were also significantly less likely (five times) to identify all persons present in the interview (Coef = 1.65, $p < 0.05$) than those interviewing witnesses/victims of serious crime.

When explaining the purpose of the interview it was found that interviewers of serious crime were rated as being significantly more competent at explaining that the interview is an

opportunity to give their account ($F_{1,59}=5.5$, $p = <0.05$) and built better rapport ($F_{1,59}=7.3$, $p = <0.001$) than interviewers of volume crime. Figure 3.16 displays these findings.

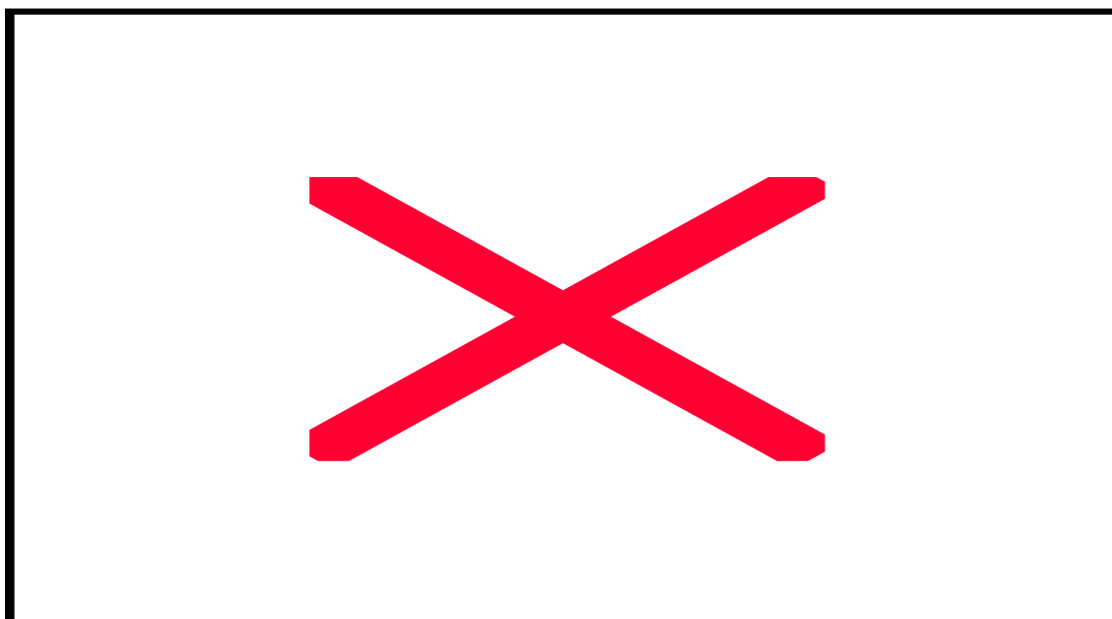


Figure 3.16 Engage and explain behaviour as a function of crime seriousness

None of the other behaviours examined within this interview phase significantly differentiated between crime seriousness.

Account

There were significant differences between interviewers of serious and volume crime throughout the account phase of the interview. Encouragement of the interviewee to give their account was performed better by interviewers of serious crime compared to those interviewers of volume crime ($F_{1,59} = 13.0$, $p = <0.001$). Serious crime interviewers also maintained a more professional air when confronted with difficulty ($F_{1,28} = 5.4$, $p = <0.05$). Table 3.8 displays the mean scores for the account behaviours.

Table 3.8 Mean scores and SD for account behaviours as a function of crime seriousness

	Serious Crime		Volume Crime	
	Mean	SD	Mean	SD
Encouragement to give account	3.5 ^A	1.3	2.3	1.1
Development of topics	2.8	1.4	2.5	1.2
Deal with difficulty	3.8 ^B	0.6	3.0	1.1
Appropriate structure and logical sequence	3.2 ^B	1.0	2.4	0.9
Exploration of information	3.8 ^A	0.9	2.9	0.9
Use of summaries and links	2.5	1.2	2.3	1.2
Keeps interviewee to relevant topics	3.8 ^B	0.8	3.1	0.9
Clarification	3.5 ^A	0.8	2.9	0.6
Coverage of points to prove	3.2	1.2	2.6	1.1
Use of CM	2.9 ^B	1.7	2.1	1.1
Use of CI	1.9	1.3	1.7	1.0
^A Significant difference at $p = <0.001$				
^B Significant difference at $p = <0.05$				

It was also found that interviewers in serious cases used a more appropriate structure and logical sequence of questioning within the interview ($F_{1,58} = 5.2$, $p = <0.05$) and explored forthcoming information in more depth ($F_{1,58} = 15.0$, $p = <0.001$) compared to those interviewing witnesses/ victims of volume crime. The serious crime interviewers were also more likely to keep the interviewee to relevant topics ($F_{1,59} = 5.9$, $p = <0.05$), and when required, clarification was dealt with in a problem-solving manner, as opposed to being confrontational ($F_{1,36} = 7.9$, $p = <0.001$).

An examination of the methods used to obtain information from the interviewees found that there was more evidence of the conversation management style of interviewing in more serious cases ($F_{1,73} = 4.887$, $p = <0.05$) than in volume crime interviews. However, there were no differences as a function of crime seriousness for the use of the CI or any of its components.

To examine the use of questions as a function of crime seriousness a MANCOVA was conducted on the various questioning behaviours examined in this study using interview length as a covariate. There was a significant interaction effect for question use by crime seriousness and interview length ($F_{13,51} = 2.210$, $p = <0.05$). In view of this it is usual not to report the main effects, although Howell (1997) argues “that it is not reasonable, however, automatically to exclude interpretation of main effects in the presence of *any* significant

interaction” (p. 410). Therefore, the main effects will be considered here. The main effect of question use by interview length was significant ($F_{13,51} = 4.231$, $p = <.001$), whereas the use of questions by crime seriousness was not. Indeed, none of the individual ANCOVA were significant for crime seriousness either.

An analysis to examine the appropriate use of ADVOKATE determined that there was no significant differences as a function of crime seriousness.

Finally, in relation to interviewer characteristics a MANOVA conducted on these behaviours was significant (Wilks, $F_{5,68} = 2.831$, $p = <0.05$). It was found that interviewers in serious cases had more self confidence ($F_{1,72} = 6.179$, $p = <0.05$) were more open minded ($F_{1,72} = 4.675$, $p = <0.05$), had more flexibility ($F_{1,72} = 7.919$, $p = <0.05$), used more active listening strategies ($F_{1,72} = 13.102$, $p = <0.001$), and had better communication skills overall ($F_{1,72} = 5.569$, $p = <0.05$) than interviewers in volume crime cases. Table 3.9 demonstrates this.

Table 3.9 Interviewer characteristics as a function of crime seriousness

	Serious Crime		Volume Crime	
	Mean	SD	Mean	SD
Self confidence	4.1 ^B	0.6	3.9	0.7
Open mindedness	4.0 ^B	0.8	3.2	0.9
Flexibility	4.0 ^B	0.8	3.1	0.8
Communication skills	4.3 ^B	0.7	3.7	0.8
Active listening	4.0 ^A	0.8	3.0	0.9
^A Significant difference at $p = <0.001$				
^B Significant difference at $p = <0.05$				

Closure

During the closure phase of the interview the interviewee was significantly more likely to informed of what will happen next in serious cases (mean = 2.1, sd = 1.5) than in volume crime cases (mean = 1.5, sd = 1.5) ($F_{1,62} = 4.321$, $p = <0.05$). Indeed, the closure was significantly more comprehensive in interviews relating to serious crimes (mean = 2.7, sd = 1.3) than volume crime (mean = 2.0, sd = 0.9) ($F_{1,62} = 4.700$, $p = <0.05$) There was only one other significant effect during the closure phase which was that volume crime interviewers were significantly less likely (four times less) to inform witnesses of how they could subsequently provide further information (Coef = 1.5, $p = <0.05$) than serious crime interviewers.

Interviewer skill

As with study 2 an overall assessment was provided on the interviewers' perceived level of skill, which by its very character meant that there would relationship between level of skill and the other assessed behaviours. Therefore, it was decided to continue the analysis started in study 3 and develop a model of those variables discriminating level of skill using logistic regression.

Initial exploration of the data revealed that a number of the variables had missing values and that these were omitted from the analysis using the stepwise. The reduction of interviews included in the analysis was unacceptable therefore dummy values (zero) were used to replace missing values as advocated by Cohen and Cohen (1975). Despite the use of dummy values it was decided to omit the variable 'deals with difficulty' because this had too many (41) missing cases. In addition, the variables relating to ADVOKATE were not used as they only related to a small subset of the interviews. A correlation matrix of the remaining continuous variables identified that only variables relating to elements of the Cognitive Interview demonstrated a high correlation, e.g. Change Order with Change Perspective $R = 0.897$, Concentrate with Report Everything $R = 0.722$, and Giving Witness Control of the information flow with witness compatible questioning $R = 0.726$ and structure and sequence $R = 0.718$. Despite these correlations it was decided to include the cognitive interview variables in the initial run.

The initial stepwise (forward) procedure included 37 variables and resulted in a two item model after two steps, whereas a backward elimination stepwise procedure resulted in a 17 item model after 20 steps. At this point the correlated variables were removed from the procedure and found to reduce the by six items but have no impact on the forward model. In view of the poor use of the Cognitive Interview mnemonics across the sample it was then decided to remove all of the Cognitive Interview variables from the procedure (leaving 28 variables). A backward elimination procedure then resulted in a three item model (25 steps) that included; Encourage account (Std Coef = 0.338), Conversation Management (Std Coef = 0.226), and Open mindedness (Std Coef = 0.279), as did a forward stepwise procedure (3 steps). This model was found to be significant ($R^2 = 0.465$, $F_{3,71} = 20.598$ $p = < 0.001$) using both stepwise procedures. However, as discussed in relation to study 2 an adjusted R^2 might provide a more realistic sense of the variance explained by this model. With an Adj $R^2 = 0.443$, it appears that this model only accounts for 44.3% of the variance, and cannot therefore be considered as a good model for discriminating level of skill.

There are a number of explanations for the poor quality of the model for determining an interviewers' level of skill when interviewing witnesses and victims. The first relates to the poor overall performance found across this data set (as described previously in the overview) resulting in the mean scores for most of the continuous variables being at or below the mid point on the scale. This has probably resulted in those variables with a mean below the scale mid point providing little discrimination of skills level. The remaining issues relate to the stepwise procedure itself which has been criticised in the literature as allowing the computer and/or algorithm to determine the model rather than knowledge of the data (Judd & McClelland, 1989). They go on to argue that the stepwise procedure does not always provide the best model, and that the model provided often fails when used with different data. However, a University of California discussion group concluded that stepwise regression can be a useful tool as long as it is used in conjunction with a good knowledge of the data (Stepwise Regression, 2000). The model produced from this data set can be seen as having good face validity but as was suggest above the low means found across the data set indicate that this model may not be transferable to other data.

The final issues concern the number of observations and missing values in the current data. Missing values were discussed above and due to the low number of observations making up the data set it was decided to replace them with dummy values. Nevertheless, it must be acknowledged that one of the consistent themes in the literature relating to stepwise regression concerns the impact of missing values on the analysis. More importantly, Howell (1997) suggested that a common rule of thumb for stepwise regression is the requirement of at least ten observations for every predictor variable, consequently this analysis should have consisted of at least 280 observations (a figure that considerably exceeds current sample sizes for interviews with witnesses). Howell (1997) goes on to point out that others have argued for alternative sample sizes of $p + 40$ or $p \geq 50$ (depending on the reference). Therefore it can be argued that the current sample (of 75 observations) is sufficient to provide a useful model. However, a combination of missing values and the low number of observations may account for the low number of variables included in the model and consequently the analysis further data sets is needed before any reliance is placed on the model developed here.

Discussion

In the data examined for this study PEACE training was not significantly related to police officers' interviewing practice of victims and witnesses. Whilst supervision only had a limited impact on the engage and explain phase of the interview. Indeed, these interviews were

generally considered to be of poor quality. This was noticeable by the fact that most interviewers were rated as only obtaining a partial account of events. As one rater noted *“these were of a much lower standard than the suspect tapes, in that there were far more leading questions asked, most of the interviewers did not allow the witnesses to tell their account, and the interviews were mainly police led, unstructured and not planned. I felt in most interviews the witness had a lot more to tell”*.

There was very little evidence of either CI or CM in the interviews in this study. Whether this was a result of some interaction effect that occurs when training interviewers to use CI and CM during the same course (as found by George, 1991) could not be determined from the current data. Indeed, across the whole sample the individual CI mnemonics were poorly presented. In addition, the interviewers predominantly used closed questions and large numbers of leading questions suggesting that interviewers used the standard police interview (SPI) schema identified by George and Fisher et al. (1987). Despite this interviewers were generally perceived as having good communication skills, which they seemed to use in a directive manner keeping the interviewee on topic. One rater suggested that the interviewer had their “own agenda, abrupt finish, the interviewer did not believe the witness”. These findings tend to support those of previous studies where police interviews with victims and witnesses were of poor quality (Daniell, 1999; McLean, 1992), and the criticisms of the way police interview such people (Heaton-Armstrong, 1995).

An examination of the data using crime seriousness as the independent variable found a range of significant differences between those interviews conducted in relation to bulk crime and those in relation to serious crime. As would be expected the serious crime interviews were more likely to be conducted by skilled interviewers. These interviews were longer and more likely to result in a comprehensive account than those relating to bulk crime. However, despite there being more evidence of CM in the serious crime interviews the mean was below average, and the use of CI was poor. Indeed, there were no significant differences between bulk and serious crime interviews for the use of the individual CI mnemonics. This was contrary to a proposal by Croft (1995), who suggested that the poor use of CI was because police officers view it as being too complex, except for serious cases. Despite better interviewing practice being identified in the serious crime sample, a third of this group were still rated as ‘in need of training’, not a rating that would be expected for officers investigating serious crimes. The results are in line with the incident reported by Trafford (1996) whereby a number of officers, during an enquiry into a serious crime, had to be re-trained and the interviews reviewed due to poor interviewing.

An examination of the data to determine which behaviours discriminate between levels of skill for interviews with witnesses, resulted in a model consisting of three behaviours. These behaviours were encourage account, Conversation Management, and open mindedness, the last two being consistent with the model developed in study 2. Of the other three behaviours identified in the study 2 model, challenge is not something that you would necessarily expect to find in an interview with witnesses, whereas ratings for the other two variables (planning and preparation and use of questions) were clustered around the mid point of the scale for all three levels of skill and therefore did not discriminate between level of skill. This clustering is clearly shown in figure 3.3 for planning and preparation, whilst the poor ratings for 'use of questions' can be explained by the continued dominance of closed questions during the interviews examined for this study, despite current advice in the literature (e.g. Milne & Bull, 1999) which is reinforced during PEACE training. The fact that neither the CI or its individual mnemonics were included in the model can be put down to the limited use of this technique in the interviews here. This is in line with George (1991) and Memon et al. (1994) who reported that officers had difficulty transferring the use of the CI to the workplace. Indeed, whilst George was at a loss to explain this, Memon et al. suggested that without good support officers will soon return to their old interviewing style, a sentiment that is in line with the literature on training transference.

The style of interviewing found in this study appears to be related to the SPI schema proposed by George (1991). Interviewers in the current sample predominantly used closed questions and the mean for leading questions was still high as found by George. However, the interruptions identified by Fisher et al. (1987) were not present. One possible explanation for these behaviours can be found by considering the way that some (bulk crime) interviewers introduced the session, that is as statement taking rather than an interview. In the words of one interviewer it was "not an interview as such, I am just taking an statement from you". This would help explain the findings that interviewers kept the witness on topic and using closed questions and the SPI because asking questions whilst writing probably involves asking questions that focus on what needs to be written next. However, it was not possible to confirm this using the current data because it was coded to examine PEACE rather than the interview process.

Another explanation relates to the SPI schema itself. Schema provide a generic or stereotypical knowledge of an event, whereas scripts contain sequential actions for carrying out the event. In addition to the SPI interviewers are also believed to have schema for crimes (Milne & Bull, 1999), whilst Köhnken (1995) suggested that police officers have elaborate scripts for different types of crime. These schema\ scripts are then used to help

the investigation process. It is hypothesised that when these are combined they form a powerful influence over the manner in which the police interviewer obtains information from a witness. Indeed, in order to overcome the possibility that witnesses will only recall information in accordance a schema that they may have for an event (e.g. a robbery) the CI includes mnemonics to help a witness break from their schema. Yet no such help is provided for police interviewers. Apart from George's hypothesis of the SPI, there has been no research into police officers schema for interviews so it is not known what they consist of. Research over the past decade has concentrated on identifying good interviewing skills and presenting these to the police service, rather than identifying the schema that officers already hold and how this can be modified. What is needed is research to identify police officers schema for witness interviews, and methods for police officers to break that schema.

Finally, the lack of impact that PEACE has had on the police interviewing of witnesses could have been influenced by the lack of workplace support. As was discussed earlier in this thesis the transference of training to the workplace is generally is poor. Stockdale (1993) advised the police service of the need for such support and warned that supervision/ support would not occur without the necessary cultural, institutional and organizational changes within the police service. Study 1 demonstrated that these changes have been slow to take place, whilst data from the current study demonstrates the outcome of not putting suitable support mechanisms in place. There is now a growing literature (Lamb et al., 2002a; Lamb et al., 2002b; Memon et al., 1994) that demonstrates police officers are unlikely to change their interview behaviour without suitable workplace support.

A number of methodological issues relating to the recording of real interview data arise from this study. Arranging the recording of bulk crime interviews had to be carried out through a liaison officer within each of the participating forces and despite their best efforts many police officers were reluctant to record victim and witness interviews. This resulted in a small number (n=12) of untrained officers in the study a factor that may have contributed towards the lack of difference found between trained and untrained officers. Those officers that did actually record such interviews conducted them at a variety of locations and in their own style. The actual recording process could be an explanation of why CM, rather than the CI, was the predominant interviewing style. Police officers in England and Wales usually record interviews with suspects rather than witnesses and their schema for this process may include the use of CM, therefore it is possible that the process of recording the interviews with witnesses triggered a schema for interviewing suspects using CM rather than the schema for interviewing witnesses using the CI. Whatever the explanation for the poor use of the CI, and despite PEACE training, officers have started and ended the interviews as

they saw fit, particularly at the end where, in a number of cases, the recorder was just switched off. These omissions meant that interviewers demonstrated very little evidence of PEACE but provided a valuable insight into how witness and victim interviews are actually conducted. In addition, some criticism can be levelled at comparing the bulk and serious crime interviews because most of the bulk crime interview time is taken up with statement writing whilst this is not the case for the serious crime sample. Future studies will ideally need to try and provide more control over the recording of the interview to try and address these issues and provide a more homogenous sample.

Conclusion

In conclusion PEACE training appears to have had little impact on police officers interviews with victims and witnesses. Similarly, though not unsurprisingly, the provision of a supervision policy for interviews with suspects, had little effect on interviews with victims and witnesses. This was even the case when comparing interviews relating to bulk crime with those relating to serious crimes. Poor interviewing skills were even found to impact on the discrimination of level of skill because many of the ratings were clustered around the mid point no matter what the assessment for perceived overall level of skill. It is posited that police officers schema for interviewing witnesses is more enduring than new skills introduced during training (without workplace support).

STUDY 4 – AN EXAMINATION OF THE WITNESS INTERVIEW PROCESS

Introduction

Study 3 examined the impact of PEACE training on the interviewing of witnesses and victims. It was expected that raters would find evidence of the PEACE model being used together with elements of Conversation Management (CM) or Cognitive Interview (CI) mnemonics. As was discussed in Study 3, this was largely not the case and the interviews examined for that study were found to be of poor quality with little evidence of the PEACE model or the two interviewing styles. This was contrary to what was expected after a positive impact of PEACE and CM being found in the interviews with suspects. It is, therefore, important to establish why training has had so little impact on the interviewing of witnesses and victims, especially as researchers consistently report the importance of victim and witness information to an investigation. For example, Sanders (1986) reported that New York detectives' and sheriffs' deputies viewed eyewitnesses as the most important feature of a criminal investigation. More recently two British barristers suggested that "the bedrock of [the] adversarial process is the evidence of witnesses for the prosecution" (Heaton-Armstrong & Wolchover, 1999, p. 855).

There is now a wealth of research that demonstrates the effects of the Cognitive Interview and Enhanced Cognitive Interview (ECI), on eliciting extra information when interviewing the mock victims and witnesses of crime (see Koehnken et al., 1999, for a meta analysis). As a result, these findings have encouraged police forces in several countries to adopt the ECI as the preferred method for interviewing witnesses and victims. However, despite the real benefits of the technique, actually getting police officers to use the ECI has been more difficult. George (1991) found that officers only used one of the original CI mnemonics well (context reinstatement), whereas Memon, Holley, Milne, Koehnken, and Bull (1994) found that officers use of the CI mnemonics showed considerable variability. Memon et al. (1994) concluded that police officers are unlikely to change their interviewing style unless they receive sufficient encouragement and support in the workplace. This appears to be because police officers already have a common schema for interviewing witnesses and victims, schema that involves the predominant use of quick fire closed questions (George, 1991), and repeated attempts to obtain the same information (Fisher et al., 1989; Geiselman et al., 1985), which results in a statement containing a combination of the interviewers beliefs and the witnesses' experience (Myklebust & Alyson, 2000). However, the schema involves a

number of additional poor interviewing practices including, interrupting the interviewee, interviewers dominating the talk time, poor questioning technique (e.g. mainly using closed questions, repetitive questioning or using leading and multiple questions) (Wright & Alison, 2004), which could bias the resulting account of events.

Before considering some studies that have examined real life interviews with witnesses it is instructive to remember the history of such interviews. Originally, the task of the police was to provide the court with a written record of the information that a person (victim or witness) will tell the court. Over time this practice has become formalised and such accounts are now used to inform the police investigation, and the defence lawyers' case. The product that is put before the court is the written record (or statement), which historically is presented in chronological order, anchored in time, providing relevant information to prove the offence in question, and omitting information that is not allowed in law, for example hearsay evidence (evidence told by a witness about which they do not know personally, but what others told him/her). Consequently police officers use the terms 'taking a statement' and 'interview' interchangeably when it comes to interviewing witnesses. Indeed, Ginet and Py (2001) suggest that police officers have consistent view of what a written testimony should consist of. However, they found that when analysing the written records of interviews with witnesses using CI, it (CI) did not appear to have been as affective as when analysing an audio record. This could be because the focus of police officers' interaction with witnesses and victims is the written statement rather than the interview. Consequently interviewers may be concentrating on obtaining the information that they believe is needed for the written account rather than facilitating the interviewee to provide the fullest account. Another explanation is that police officers are not in fact trained to record or transcribe a witnesses' account (Rock, 2001). Indeed during training officers are told that they should record the written account after the interview takes place but there is usually no acknowledgement that this may involve asking further questions to refresh/ confirm their memory or notes of the account. In fact the implication is that they should be able to write the account from their notes, taken during the interview.

The attitude of police officers in England to witness interviews is further demonstrated in a study by McLean (1992) who asked 16 of his staff to record the whole process from the start of the interview to the completion of the statement. Analysis of the data included and identification of the amount of talk time taken by the interviewer and interviewee, and the types of questions used by the interviewer. In addition, McLean randomly compared the evidential content of the audio recording to the written record. What he found was that the interviewers predominantly used leading questions (mean = 29.4) and a nearly even amount

of talk time. McLean argued that the interviewers had an offence schema that was used to create an account based on their frame of reference (McLean, 1992). After comparing his findings with a previous study of interviews with suspects he concluded that the interviews with witnesses were far worse. Unfortunately, McLean did not distinguish between different elements of the process (interview phase, statement taking phase, reading phase) therefore it can not be determined whether each phase had a different questioning pattern. Daniell (1999) conducted a similar study using a small sample of seven video recorded interviews relating to serious crime. These interviews were conducted as an integral part of real investigations and did not contain a statement taking phase, nevertheless she still concluded that the interviewers were searching confirm their view of what has occurred rather than searching for the truth.

There has been considerable criticism of statements that are recorded in the UK (Heaton-Armstrong & Wolchover, 1999; Shepherd & Milne, 1999), with authors depicting police officers skills for constructing such statements on a range of levels from incompetence to being deceitful. Rock (2001) suggested that these views “are somewhat mono-dimensional” (p. 65) and proposed that the debate on such statements needs to be opened up. In order to do this she outlined three explanations of what a statement is for. They are:

- (i) The witness holds the information that is to be included in the statement; they should therefore decide what is included in the statement and how the information is to be included,
- (ii) The interviewer knows which aspects of the available information are likely to become important, they should therefore decide what is included in the statement. The interviewer should take decisions on content,
- (iii) The interviewer knows how the statement will be used, they should therefore decide how information is to be included. The interviewer should take decisions on form (p. 65-68).

One problem with these explanations is that the appropriateness of a particular explanation is likely to be dependent on the perspective of the individual (e.g. police officer, prosecution or defense lawyer), each of whom is likely to take a different stance.

Wright and Alison (2004) examined 19 real life interviews with witnesses from two locations in Canada. They found little evidence of the CI but identified two distinct interview phases. In Phase 1, interviewers focussed their questioning on events and people, whilst in Phase 2 the questioning focussed on reconfirming the information from Phase 1. It was interesting to note that where interviewees were invited to provide a free recall, officers did not interrupt the interviewee. Nevertheless, the use of open questions was low across the whole sample

and when they were used it was usually at the beginning and end of the interview, as was the use of instructions. As with the common interview schema discussed above, closed questions predominated these interviews, and police officers took most of the talk time, a combination that led Wright and Alison to suggest that interviewers had a confirmatory bias. Unfortunately, the authors did not indicate whether a written statement was recorded during the audio recording, as this was a feature of the data recorded for Study 3 of the current thesis.

Rock (2001) adds a different perspective from a case study in which she used psycholinguistics to examine one (serious crime) interview and statement taking session. From initially viewing the interview process as an unstructured narrative that meandered in terms of turn taking, structure and topic development, she identified four distinct phases (or re workings) across the whole interview, which she described as:

Version 1 – The witnesses offer – during which the interviewee provides an account with minimal intervention.

Version 2 – Co-construction – during which the interviewer asks questions about the event.

Version 3 – Note-checking – when the interviewer feeds back the information and confirms whether it is correct or not.

Version 4 – Text construction – when the interviewer constructs the statement out loud.

However, rather than the above being seen as re-workings they could be viewed as developmental stages whereby the interviewer develops her or his understanding of the interviewee's account. Rock uses the development of temporal references to demonstrate how the 're workings' produce the final statement. From this she concludes that officers do marshal the disorganised thoughts of interviewees but do so in a collaborative manner. However, during this process information may still be lost or recorded ambiguously no matter how careful the interviewer is. To take account of this fallibility Rock suggests that all notes and records should be retained in accordance with the Guinness Ruling (The Director of Public Prosecutions, 14 August 1992: para 8).

In view of the contrast between good interviewing skills and the results found in Study 3 it was important to establish what does happen during interviews with witnesses and victims, in order to assist the police in conducting good interviews that culminate in an accurate statement. Therefore, the research in the study to be reported here consisted of a detailed examination of interviews with witnesses and victims of actual crimes (recorded as a part of the evaluation discussed in Study 3), in order to identify the actual process of interviews with

victims and witnesses, and to determine whether officers continue to use a standard interview schema.

Method

Design

This was an exploratory study of interviews with victims and witnesses in order to identify the process that police interviewers followed in order to obtain their account of events.

Interviews

The interviews were a subset of the interviews recorded for Study 3 all of which were recorded on audiotape (at the request of the author but as part of the normal investigation process). Due to the fact that many interviews for serious offences in the United Kingdom are recorded and a statement constructed later (in accordance with the "Murder Investigation Manual", NCF, 1999), only bulk crime interviews were considered for inclusion in this study. To try and ensure a similarity of process it was decided to examine interviews that related to only one offence type, that of assault. In the whole sample (see Study 3) there were 22 interviews in this category. Interviews under 20 minutes and over two hours in duration were removed (because they were much shorter/ longer than the other interviews) leaving 19 interviews, this number was further reduced by only including interviews for which a written statement was available. The final sample included in this study consisted of ten interviews ranging in length from 23 minutes to 120 minutes. All of the interviewers had received training in the PEACE model of interviewing. Six of the interviewers had been rated as being in need of further training and four as satisfactory.

In contrast to Study 3 the analysis of these ten interviews was conducted on transcripts rather than the audio recording. Initially the interviews were transcribed by professional police transcribers but checks of the transcripts revealed numerous transcription errors, so all of the initial transcripts were double checked, and amended. The remaining interviews were then transcribed. All interviews were then imported into Code-A-Text software. This software allows the transcript and audio record to be linked and for each segment of speech to be coded on various dimensions.

Coding

Initially it had been intended to code each speech segment for; the phase of PEACE (Planning & preparation, Engage and explain, Account, or Closure), elements of Conversation Management (e.g. topic, summary & link), Cognitive Interview mnemonics

(e.g. reinstating context, report everything), question type (e.g. open, closed), and question purpose (e.g. obtaining account, clarification). However, an initial examination of the transcripts revealed few elements of PEACE, CM or CI, thus the simplified structures identified by Wright and Alison (2004) and Rock (2001) seemed more appropriate. Consequently the interviews were coded for structure; introduction, account, statement, read statement, and closure, for utterance type; closed, forced choice, leading, misleading, multiple, open, statements, and interruptions, and for utterance purpose; account, person detail, clarify, detail, encouragers, instructions, describe injuries, explain statement, read statement, and other. The definitions for these items are presented in Appendix F.

Rater

The author rated all interviews himself and to ensure consistency of rating carried out the rating process three times.

Results

Following an overview, the results from this study are presented by interview phase (introduction, account, writing statement). Closure is discussed in the overview, as there was little information in this phase. Due to the variability in length of each recording, and each phase of the interview, the data (e.g. numbers of questions, length of time for each phase) have been converted to percentages and presented in this manner. Interview length was converted to seconds for each phase of the interview and each phase then divided by the total interview length to obtain the percentage of time that each phase of the interview took. Similarly the different types of utterance and their purpose were counted, separately, for each phase of the interview and then divided by the total number of utterances to obtain the percentage (it should be noted that not all of the percentages will add to 100 due to rounding errors) Consequently, the results are descriptive in nature.

Overview

As previously stated, all of the interviews examined for this study concerned the crime of assault. Half of the interviewees were male and the remainder female. In four cases the interviewees knew the assailant and in two others they knew the offenders' names. The remaining four assailants were unknown. One of the interviewees (a victim) had no recollection of the event at all (Recording 9) yet no attempt was made to use CI mnemonics to aid retrieval. Another interviewee was vulnerable due to learning difficulties (Recording 7) and when he failed to answer initial questions the interviewer immediately used a confirmatory style and leading questions, for example:

OFFICER right (paper noise – 5 sec)

OFFICER okay xxxx what's happened (silence – 7 sec) you, you've gone to the filling station

WITNESS to get some sweets and they got me and pinned me down

OFFICER and somebody's pinned you down

WITNESS yeah

OFFICER four lads have pinned you down

WITNESS yeah.

Extraneous noise was problematic in three interviews, which was caused by traffic, building work, and a baby crying. In other interviews extraneous noises in the form of police radio traffic and PA systems were clearly audible but not problematic for hearing the interview. Previous studies have identified witness interviews as having two (Wright & Alison, 2004) and four (Rock, 2001) phases. For the current data, two phases provided a too simplistic an explanation, whereas the four phase explanation included a notes checking phase that was not present in the current sample. From the current sample three phases were immediately identifiable; obtaining an account, statement writing, and reading the statement. In order to retain links to the PEACE model (and good communication skills) introduction and closure phases were also identified. The time spent on each phase is shown in Table 4.1, which demonstrates that the introductions in this sample ranged from 22 seconds to 2 minutes 15 seconds or 0.39% to 7.03% of the total interview length.

Table 4.1 Percentage of time spent on each stage of the interview (actual time in brackets)

Recording	Length Min/ Sec	Introduction	Account	Write Statement	Read Statement	Closure
1	43.27	0.85% (0.22)	5.24% (2.16)	78.48% (33.58)	7.97% (3.37)	7.47% (3.14)
2	34.43	6.53% (2.12)		92.58% (31.11)		0.89% (0.18)
3	90.17	1.55% (1.24)	19.86% (17.56)	78.27% (70.40)		0.31% (0.17)
4	72.54	2.10% (1.32)	3.61% (2.38)	84.11% (61.19)	9.72% (7.05)	0.46% (0.20)
5	66.12	0.81% (0.32)	13.79% (9.04)	76.73% (50.27)	7.50% (4.56)	1.17% (0.46)
6	119.58	0.39% (0.28)	15.80% (18.57)	76.37% (91.37)	5.49% (6.15)	1.96% (2.21)
7	23.28	3.60% (0.48)	53.22% (11.50)	43.03% (9.34)		0.15% (0.02)
8	67.20	1.66% (1.07)	23.66% (15.56)	64.90% (43.42)	7.45% (5.01)	2.33% (1.34)
9	32.0	7.03% (2.15)	6.30% (2.01)	79.69% (25.30)	5.21% (1.40)	1.77% (0.34)
10	49.55	1.90% (0.57)	8.45% (4.13)	87.71% (43.47)		1.94% (0.58)

Obtaining an uninterrupted account from the interviewee or the idea of allowing the interviewee to freely recall the event ranged from no time (interview 2) to 53.22% of the recorded interview. However, the higher percentage represents 11 minutes 50 seconds from a 23 minute 28 second interview, whereas the longest time spent obtaining an uninterrupted

account was 18 minutes 57 seconds: which was only 15.80% of a two hour interview. After this phase all of the interviewers recorded a written statement. The writing phase took between 43.03% (9min 34 sec) and 92.58% (31 min 11sec) of the recording with the longest time being 91 minutes 37 seconds representing 76.37% of a two hour interview. Six of the interviewees then went on to read the statement, taking between 5.21% (1min 40 sec) and 9.72% (7min 5sec the longest time) before they closed the interview. Closure took between 0.15% (2sec) and 7.47% (3min 14sec) of the recording. In one instance, the interviewer gave advice regarding what to do if the suspect returned. In seven instances, after signing the statement, the interviewer gave the time and said they would switch off the tape. On the other two recordings the tape just stopped. No details were provided in the recordings about how the interviewee could contact police regarding the crime or pass on further information. Each phase of the interview is now considered in turn.

Introduction phase

As can be seen from Table 4.1, interviewers spent a minimal amount of time on this stage of the interview. Only half of the interviewers introduced themselves and the interviewee. Two officers introduced other persons present at the start of the interview; although in one instance this was another officer and not the appropriate adult who was also present, and one officer introduced another person when they entered during the interview. This was despite the fact that there were other persons present at some stage during seven of the ten interviews (see Table 4.2).

Table 4.2 An overview of the introduction phase.

Interview	Introduce Self	Introduce Interviewee	Introduce Others	Others Present	Explanation
1	No	No		No	Explains tape and asks for account
2	Yes	Yes		Yes	Obtains full person details and then asks for account
3	No	No		Yes	Full explanation of interview process
4	No	No		Yes	Explains process and obtains full person details
5	No	No		Yes (staff & workmen)	Explains tape and asks for account
6	Yes	Yes	Yes (when entered room)	Yes	Obtains full person details then asks for background to incident
7	Yes	Yes	Yes (not appropriate adult)	Yes	Provides date & time and asks for account
9	No	No		No	Provides date & time then explains tape and note taking before asking for account
8	Yes	Yes	Yes	Yes	Provides date & time then obtains full person detail before account
10	Yes	Yes		No	Briefly explains process and gives background to interview before asking for account

During the introduction phase only three officers introduced the process as an interview, four said they were going to take a statement, two said they were going to take a taped statement, and the other officer said he was going to ask some questions. Two officers went on to give a full explanation of the interview process whilst two others give a brief explanation. The remaining officers either explained the tape recorder or obtained full personal details before asking for an account of the incident. There was no consistency concerning the recording of personal details, four officers recorded them during the introduction, whilst another officer recorded the interviewee's personal details before writing the statement, one officer recorded such details at the end of taking the statement, and one officer did not record personal details on the tape.

Account phase

This phase starts from the first question relating to the incident until the officer indicated that they were going to write a statement. The first question relating to the incident was asked between 20sec and 217sec (3min 37 sec) after the start of the interview, (the Median=54.5 sec.). Response durations to the first question ranged between 0.5sec and 391sec (6min 31sec), (with Median=5.5 sec). As can be seen in figure 4.1 most of the first questions relating to obtaining an account were open questions. The second question was most often a statement, or closed question, whilst the third question was usually a closed question or statement/ leading question.

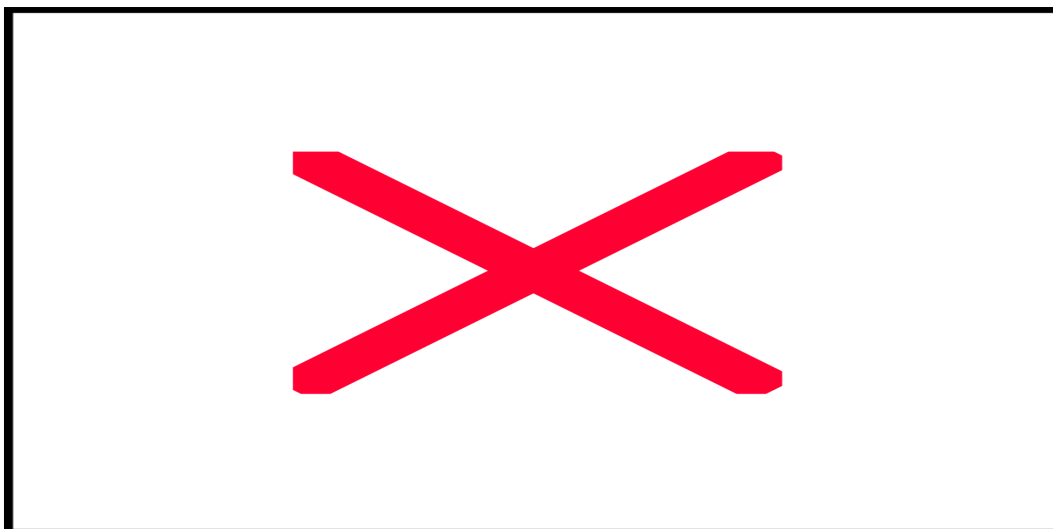


Figure 4.1 Questions one to three by type

The next six questions (Questions 4-9) were mainly closed (37.5%) or leading questions (24%), as can be seen from Figure 4.2 below. These questions focussed on obtaining detail and clarification of the information provided by the interviewee. 21% of the follow up

questions were statements over half of which involved giving instructions or process information. However, there were few examples of open questions which, according to good practice, should be used at this stage of the interview. From the use of questions found in this sample it can be seen that officers are seeking details, rather than letting the interviewee provide their account, from the earliest stages of the interview. Two examples of first and second questions clearly demonstrate this early and persistent quest for detail:

1. OFFICER ...can you tell me, you tell me, the events of yesterday afternoon?

WITNESS Well we xxxx xxxx Anthony's husband and when we came in

OFFICER (interrupting) So who um who came?

2. OFFICER Tell me in your own words what happened from there

WITNESS Me and my friends sat in the kitchen, umm

OFFICER Who was that, who was your friends

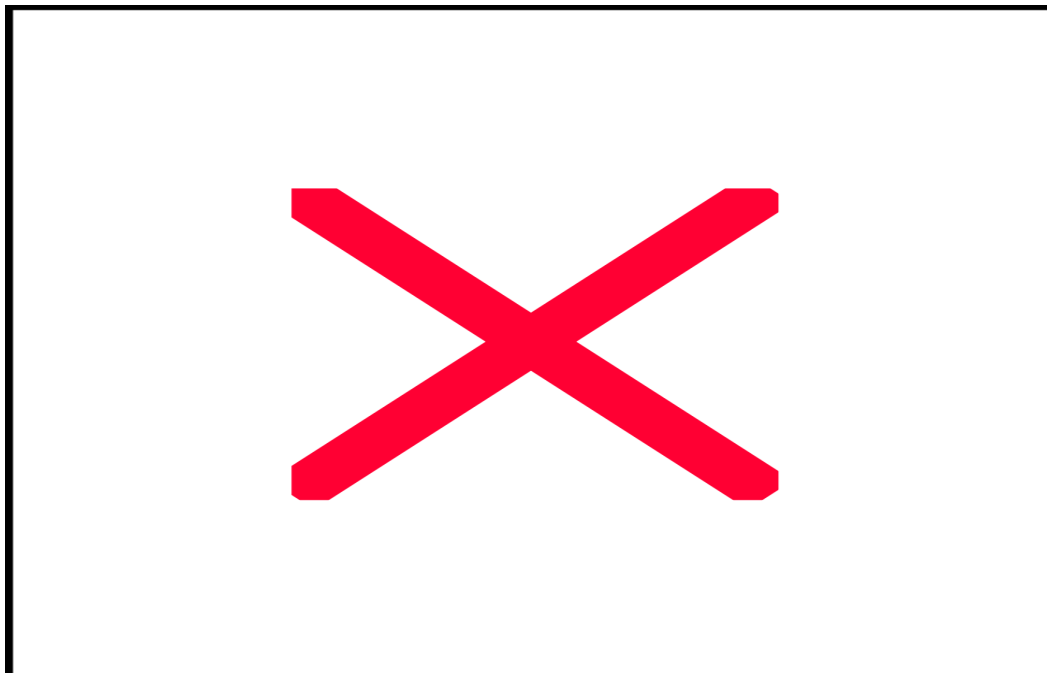


Figure 4 2 Questions four to nine by type

During the account phase, open questions made up a small percentage (0.9% - 14.3%) of the interviewers' utterances (see Table 4.3). However, all of the interviewers used phatics or encouragers (e.g. uhuh, mmm, okay, etc.), which demonstrate listening and an attempt to encourage the interviewee to keep providing information. Indeed half of the interviewers could be said to have made good use of phatics as they constituted 24.8% to 77.9% of the account phase utterances. This was particularly evident within Interview 1, where only open questions, statements, and phatics were used. However, the use of echoing to demonstrate active listening was only evident in half of the account phases and made up from 3.4% to

16.4% of the utterances. Predominantly the interviewers used a combination of closed (12.1% - 34.8%) and leading questions (8.7% - 42.9%), together with statements (2.7% - 24.5%). There was little in the way of forced choice, misleading or multiple questions (see table 4.3).

Table 4.3 Percentage of interviewers' utterances by question type during the account phase

Recording	Open	Closed	Statements	Leading	Forced Choice	Misleading	Multiple	Echoing	Phatic	Other
1	11.1%		11.1%						77.8%	
2										
3	6.1%	18.4%	24.5%	18.4%	2.0%		2.0%	8.2%	20.4%	
4	5.3%	31.6%		10.5%				5.3%	47.4%	
5	9.1%	27.3%	9.1%	36.4%					9.1%	9.1%
6	0.9%	12.1%	12.1%	19.0%		1.7%	2.6%	3.4%	48.3%	
7	2.7%	19.1%	2.7%	29.1%	4.5%	0.9%	4.5%	16.4%	3.6%	16.4%
8	2.3%	33.1%	20.3%	16.5%	0.8%	0.8%	4.5%	3.8%	17.3%	
9	14.3%			42.9%					28.6%	14.3%
10	8.7%	34.8%	13.0%	8.7%			4.3%		30.4%	

The purpose of these utterances are displayed in table 4.4 where it can be seen that only a small percentage of utterances related to obtaining the interviewees' account, although over half of the interviewers made extensive use of encouragers to help the interviewee expand their account. Despite this, only three first uninterrupted accounts were over one minute in length: being 1 min 14 sec (Recording 4), 1 min 57sec (Recording 1), and 6 min 31 sec (Recording 5). The purpose of most utterances used was to obtain specific details or clarify the officers' understanding of what had been said.

Table 4.4 The reason for interviewers' utterances during the account phase

Recording	Account	Clarify	Detail	Background	Describe injury	Explain process	Instructions	Encouragers	Other
1	11.1%				11.1%			77.8%	
2									
3	10.2%	32.7%	22.4%	6.1%			4.1%	24.5%	
4	5.3%	5.3%	21.1%					47.4%	21.1%
5	18.2%	18.2%	45.5%				9.1%	9.1%	
6	0.9%	14.7%	23.3%		2.6%	1.7%	1.7%	50.9%	4.3%
7	4.5%	36.4%	34.5%					5.5%	19.1%
8	2.3%	27.1%	39.1%			6.1%		18.0%	6.8%
9	14.3%	28.6%						28.6%	28.6%
10	13.0%	4.3%	34.8%		8.7%	4.3%		30.4%	4.3%

As can be seen in tables 4.4 and 4.6 the purpose of most utterances during the account and statement taking phases was to obtain details or clarify them. One of the details sought by interviewers in the current study was temporal information to anchor the account in time, as had been found in a previous study (Rock, 2001). For example during Recording 10 the interviewer attempts to find out the duration of the incident:

OFFICER how long would you say the whole incident took place then from Scott coming you know up to your window to him finally leaving?

WITNESS About 30 minutes, 25 to 30 minutes it just felt about three minutes it were xxxx fast (pause) when he attacked me that couldn't have lasted long because xxxx went too quick (pause)

OFFICER So the attack itself was how many minutes?

WITNESS About five, six seven, eight, less than ten

OFFICER It was between five and ten minutes, (pause) (the following speech is unclear).

Conversely in Recording 2 the interviewee uses a memory aid to anchor the time:

OFFICER right, do you remember what time you left here? (silence)

WITNESS mmm (silence) I can't remember I think it was about half eight, nine something like that

OTHER it was before that (silence)

WITNESS so yes it was before that because Eastenders hadn't started, yes I remember watching Eastenders at the flat, yes thinking back cause I watched Eastenders

OFFICER so we all stayed (interrupting) xxxx and left to go home

WITNESS I, it was about quarter to seven, yeah cause I watched Eastenders after

OFFICER right and then what happened then?

WITNESS well Eastenders must have been halfway through

OFFICER right

Statement writing phase

This phase was deemed to take place from when the interviewer said that they were going to write a statement until they started to read the statement, or began to close the interview. As has already been illustrated (with one exception), writing the statement constituted the main part of the recording. Table 4.5 depicts the type of utterances that were found during this part of the recording only. As can be seen, there were far fewer open questions used as the statement was being written. Most of the utterances were either closed/ leading questions or statements. Many of the statements were, in fact, reformulations of the interviewee's words

that did not amount to echoing. Indeed there was little verbatim echoing of the interviewee's actual speech. However, at this stage in most of the interviews there was a good use of phatics, and little use of forced choice, misleading or multiple questions.

The purpose of the utterances whilst writing the statement is presented in table 4.6. As would be expected from the lack of open questions, there was little attempt to obtain an uninterrupted account whilst writing the statement. Most of the utterances focussed on obtaining detail and clarification which is in line with the frequent use of closed and leading questions. Indeed as found in previous studies (Rock, 2001; Wright & Alison, 2004), open questions were used more as encourages e.g. 'What happened next?'. There was some explanation of the process at this time, often put quite simply: "Okay, what I'll do now, I'll obviously have to take that to do a written format of what you're telling me now" (Recording 1). It was only in recordings 3 and 6 that the interviewer spent some time explaining the statement process. In recording 3 the focus was on the level of detail required (e.g. "any details of you know if you can remember obviously if it happened so quick you might not be able to remember everything sort of how many times she punched you, what hand any feet or"). Whereas, in recording 6 explaining the process focussed on changing tape "This is just a continuation of the original interview, is that correct?" and the statement being the interviewee's account "Well the things I would say it has to be your sort of impression of it, it has to be your account."

Table 4 5 Interviewers' utterances by type within the statement writing phase

Recording	Open	Closed	Statements	Leading	Forced Choice	Misleading	Multiple	Echoing	Phatic	Other	Unclear
1	2.5%	23.4%	31.5%	23.4%	1.0%	1.5%		3.0%	12.7%	0.5%	0.5%
2	3.1%	37.7%	19.9%	8.4%	1.6%			5.2%	19.4%		4.7%
3	1.5%	12.9%	51.1%	15.4%	1.8%	0.4%	0.4%	5.5%	11.0%		
4	2.1%	33.3%	19.3%	20.8%	0.3%	0.9%	1.8%	7.7%	13.7%		
5	1.7%	30.5%	8.5%	11.0%	2.5%	2.5%		6.8%	13.6%	4.2%	18.6%
6	1.7%	20.5%	25.7%	28.1%	2.8%	1.0%	2.1%	2.1%	14.6%		1.4%
7	1.6%	12.7%	20.6%	31.7%	1.6%	1.6%	1.6%	6.3%	1.6%	20.6%	
8	2.3%	40.6%	26.3%	15.8%	3.0%	2.3%	3.0%		6.0%		0.8%
9	3.1%	28.1%	10.9%	29.7%	1.6%	1.6%	1.6%	3.1%	17.2%		3.1%
10	0.9%	16.4%	24.7%	16.0%	0.5%	2.3%	1.8%	2.7%	27.4%		7.3%

Table 4.6 The purpose of interviewers' utterances within the statement writing phase

Recording	Account	Clarify	Detail	Person Detail	Explain process	Explain state	Instructions	Encouragers	Other	Unclear
1	2.0%	28.9%	21.8%	0.5%	1.0%	24.9%	0.5%	13.2%	6.6%	0.5%
2	2.6%	20.4%	29.3%	3.7%	0.0%	18.8%	0.5%	19.4%	0.5%	4.7%
3	0.4%	30.9%	13.3%	0.7%	4.4%	29.8%	1.8%	9.9%	8.8%	
4	1.2%	30.4%	34.5%	0.6%	0.6%	12.5%	1.5%	15.2%	3.6%	
5		21.2%	13.6%	13.6%		0.8%	0.8%	14.4%	15.3%	18.6%
6	1.7%	33.0%	19.8%	2.4%	4.5%	3.1%		15.3%	18.8%	1.4%
7	1.6%	42.9%	14.3%	1.6%	6.3%	3.2%		6.3%	23.8%	
8	2.3%	32.3%	35.3%	5.3%	3.8%	6.8%	1.5%	8.3%	3.8%	0.8%
9	1.6%	18.8%	43.8%		3.1%	4.7%		18.8%	6.3%	3.1%
10	0.9%	23.7%	18.3%		2.3%	3.2%	0.9%	29.2%	14.2%	7.3%

Discussion

These recordings provide an insight into the manner in which police officers obtain information from witnesses and victims. It is difficult to describe them as interviews because the focus of all the recording was the written statement. Indeed in Recording 2 the interviewer made no attempt to obtain an uninterrupted account preferring to start writing the statement after a brief introduction. This confusion over whether they are taking a statement or interviewing someone may help explain why there appears to be such a poor transference of good interviewing skills. The confusion is neatly illustrated by one officer who said: "This interview is being tape recorded. It's not an interview as such; I'm just taking a statement off you. But it is being tape recorded" (Recording 7). Later the same officer said:

OFFICER For benefit of the tape PC A has walked in.

OFFICER2 I am sorry ??.

OFFICER No, no, it's not an interview, is it?

OFFICER2 No, of course.

Clearly this officer did not believe he was interviewing the witness. Which seems to be in line with Ginet and Py's (2001) proposal that many interviewers focus on the written record rather than the information being provided.

Rock (2001, p. 44) suggested that the witness interview is a special type of interview and that rather just being a "speech event: it consists of multiple tasks – telling, listening, writing, formulating, analysing – and has multiple goals – the extraction, communication and use of emotional and factual information". This was clearly apparent in the current data. Heaton-Armstrong (1995, p. 138) noted that "a police officer may endeavour to marshal a disorganised narrative into a more coherent form." Evidence of such marshalling was also found in the data, it can be seen in the way that officers tried to anchor the account in time. Unfortunately, PEACE training has focussed on the 'obtaining information' element of this process, by giving the interviewer a variety of tools to assist the interviewee to recall their memory of the event. But as mentioned previously the skills needed for statement taking are not included in this training.

There is also a cultural issue to consider at this point. Since the introduction of tape recorded interviews with suspects, and more recently specific types of victim/witness, police officers may well consider that 'interviews' only take place under specific conditions. Indeed officers are more likely to be asked to 'go and take a quick

statement' from a victim or witness than to 'go and interview them'. Consequently it is unsurprising that six of the interviewers introduced the process as some form of statement taking rather than an interview, or that in only four of the recordings was a comprehensive account of the event obtained at the start of the interview in accordance with PEACE training, and current research on how best to interview witnesses and victims. In the other recordings the interviewer obtained only a brief account (in five instances) and then started asking closed questions. The other interviewer immediately started the written statement and asked closed questions to obtain the information that they required.

This use of closed questions and search for detail are two of the most noticeable features of the findings. Whether during the account or statement taking phase of the recording, many of the questions put by the interviewers were 'closed' and used to obtain specific detail. Often the interviewer seemed to believe this was needed immediately. Recording 10 illustrates this near the start of the interview:

OFFICER Tell me in your own words what happened from there

WITNESS Me and my friends sat in the kitchen, umm

OFFICER (interrupting) Who was that, who was your friends?

WITNESS Hanna and Claire, who was outside

OFFICER right do you know their surnames?

WITNESS umm, Hannah Jordan

OFFICER right

WITNESS and Claire Moran I think it is

OFFICER right

WITNESS umm so Scott's brother in laws

This search carried on throughout the recording as the interviewee introduces a new piece of information whether it be a person, an action or event, the interviewer requests explicit details about it. It is during this search for detail that the interviewer may negotiate the wording of a description (Recording 8):

OFFICER When you said the bar do you mean an actual bar or do you mean?

WITNESS No, it's just like a separating, like a railing more

OFFICER Oh yeah, yeah, so it's like,

WITNESS It's like a railing, you know, so you,

OFFICER Yeah. Can't think what you call it now, like a partition?

WITNESS Yeah, yeah a partition.

OFFICER Two feet of it, and their back towards us, stood in a group, they were facing the partition, which separates the dance floor from the walkway. The three Asian men were stood directly on the other side of the partition. You couldn't hear what were being said?

In some instances this may involve suggesting options such as the number of people in a room(Recording 10):

OFFICER which side did you go in

WITNESS we go in tap room

OFFICER right (silence) so there weren't many people in tap room how how many people were there in would you say (silence)

WITNESS couldn't say (very soft)

OFFICER about a scattering of people

WITNESS yeah (silence)

In addition to person details, interviewers (as mentioned above) also strove to anchor the incident in time. This was achieved in a collaborative effort to establish the timings of an event, a process previously found by Rock (2001). However, the implication by Heaton-Armstrong (1995) that by marshalling disorganised narratives the interviewer adds information of their own was not supported. Rather, in order to provide a narrative anchored in time the interviewer negotiates how the timings should be presented. Officers frequently preceded these timings with the term 'about' to demonstrate that they should not be viewed as exact times.

Of course we must question the value of interviewers pursuing times when research shows that people are generally poor at estimating the duration of events. Loftus, Green, and Doyle (1989) provide an overview of the research recalling the duration of an event and point out that people often provide timings of up to twice the actual length of an event. They go on to report that "sometimes the estimate of time is extremely exaggerated" (p. 8) referring to Loftus, Schooler, Boone, and Kline (1986) where the average estimate was five times (152 sec) the actual duration of 30sec. A study of 200 crime reports in the USA (Schneider et al., 1989) found that only two victims under reported the duration of the event with the majority reporting 15 minutes over or under the time given on the police report. However, even with these limitations some form of timing is required in the record of an event in order to anchor the narrative and provide a chronological sequence. The impact of written statements with or without temporal detail would be an interesting area of further study.

Returning to the process that these recordings followed, what emerged was a brief introduction followed, usually, by some attempt to obtain an overview of the interviewee's account, the interviewer then writes the account, whilst asking closed questions to obtain detail, leading questions to clarify their understanding of events, and statements as they read aloud whilst writing, or read what had been written in order to link in the next question. The statement recording phase was punctuated with numerous periods of silence whilst the interviewer was writing. In Recording 5 this amounted to 59% of the statement taking time with the longest period being 1min. 23sec.. However, what was encouraging was the fact that overall the interviewees dominated the talk time talking from 60% (recording 1) to 32% (recording 5). At the end of the process, six of the interviewers read the statement out before concluding the interview. There was no formal closure at the end of any of the recordings and in most cases the recorder was just switched off.

As discussed in the introduction to this chapter Rock (2001) proposed that the statement taking process has four re-workings or versions of the statement. In the recordings for this study Stage 1 was clearly seen in the uninterrupted account found to some extent in nine of the recordings. Stage 2, where the interviewer expands the account and adds detail to it (Rock suggests that this stage is the closest to what is generally thought of as interviewing) was not noticeable in these recordings. Stages 3 (checking notes), also, was not discernable in the current recordings, whilst Stage 4 was apparent during the 'statement writing phase' as interviewers fed back their understanding of the event, receiving confirmation about its accuracy, and drafting the statement out aloud as part of the same stage or process. The lack of Stages 2 and 3 might be a result of the current data set relating to bulk crime, whereas Rock's data seem to relate to serious crime, and as was found in Study 3 interviews relating to serious crime are more likely to follow the PEACE model and be generally longer.

What this means is that rather than just interviewing a witness, these recordings show an interview and statement writing process for which the interviewers are not trained and is not covered by PEACE training. It is clear from the data in this study that officers are not using good interviewing practice (e.g. predominant use of open questions, PEACE, CI) and focus on the written statement. Unfortunately, various elements of the judicial system seem to have competing expectations of these statements. As discussed in the introduction, Rock (2001) proposed three different explanations for statement construction. She proposed that these stances could be further extended by two blends:

- (i) The witnesses' information is united with the interviewers' formatting and formulating expertise and enhanced by both parties communicating what is important to the other in order to provide the most useful statement.
- (ii) The statement does not represent the witnesses' full account but offers an overview of their experience after the witness and interviewer have discussed what was experienced and agreed on the content of the statement.

Currently it seems that blend 1 best fits the structure of the PEACE model and what interviewers set out to achieve. Blend 2 would require a dramatic change in the legal systems' view of what the written statement represents. The view of the judiciary is that the written statement is THE evidence of a victim or witness and any deviation from this written record is used to discredit the witness (Heaton-Armstrong, 1995).

Of course, this situation could be overcome by the introduction of tape recording ALL investigative interviews as argued by Heaton-Armstrong and Wolchover (1999), Milne and Shaw (1999) and the current author (Clarke & Milne, 2001). However, as this course of action has a cost implication and is unlikely to be instituted in the foreseeable future, research needs to be conducted to determine the best method of interviewing and then making a written record of an interviewee's account in order to provide the most accurate record of their recollection of events.

Methodological issues

It must be acknowledged that the sample used in the current study was quite small and concern only one type of crime. These issues may have been further confounded by the novelty of the situation that officers found themselves in because they do not usually record interviews with witnesses. Finally, having the coding carried out only by the author may have introduced some bias in the process. Therefore the findings presented here should only be generalised to the wider population with care because a larger sample, different types of crime and a different rater, may result in alternative findings.

Conclusion

In conclusion, the recordings used for this study can best be viewed as a record of statement taking that loosely conform to Rock's (2001) four version statement structure. Whilst elements of the PEACE model can be identified in the structure of the recordings, the focus is almost always on the written statement. Current police training does not equip officers with all the skills to interview and concomitantly record a written narrative, which is probably why studies such as Daniell (1999) and

McLean (1992) report the loss of information between the interview and written record. Whilst this could be alleviated with the introduction of tape recording all interviews, this is unlikely to take place in the near future for volume crime. Therefore, it is recommended that further research is needed to determine how officers can best interview and concomitantly record a written narrative, as witness information is the cornerstone of the investigation and pivotal to justice.

STUDY 5 – THE DEVELOPMENT AND PILOT TESTING OF AN INTERVIEWING ASSESSMENT INSTRUMENT

Introduction

One of the main themes running through this thesis has been the importance of workplace support and supervision. As PEACE was developed, Stockdale (1993) considered the importance of managing interviewing in the workplace for the police service. Her report pointed out the need for the supervision of interviewing in order to develop skills, either by direct supervision or tape monitoring. Interview assessments can also be considered in terms of their process or product. In the current study the focus is on the process (or interviewing skills). Although Moston and Stephenson (1990) suggested that interview assessments may need to focus on the product of interviews. Stockdale also highlighted the role of the organization in developing skills by, (i) supporting new behaviours in the workplace, (ii) changing organizational structures, and (iii) creating and maintaining conditions that will allow the delivery of quality interviews. Studies into the effectiveness of PEACE for developing interviewing skills (e.g. Elliston 1995, Collier & Styles-Power, 1998) have continued to emphasise the importance of workplace supervision. Indeed, the need for workplace support to ensure the development/ use of good interviewing practice was also beginning to be discussed in the literature by the mid 1990s (Memon et al., 1994). Since conducting this study a growing literature has been developing on the importance of workplace support on interviewing practice (Lamb et al., 2002; Lamb et al., 2002).

Stockdale (1993) suggested that in order to support the development of interviewing skills, supervisors, themselves, needed suitable development and, in view of the problems associated with abstracting supervisors from the workplace, that such development should be based on distance learning material. In addition Stockdale provided a set of performance criteria for assessing interviews based around 11 main themes, which were; “planning and preparation for the interview, knowledge of and compliance with PACE/Codes of Practice, appropriate use of questioning skills, effective use of communication and listening skills, appropriate interview structure and style, recognition of and effort to fulfil evidential requirement, confidence and control, fairness and an open mind, no action taken/nothing said (or omitted) which is likely to render the interview unreliable/inadmissible, effort to further the investigation

and maintain its integrity, and a balanced, accurate and reliable written record of interview/statement” (Stockdale, 1993, p. 28-9). As a result of this advice ACPO had a distance learning program developed that was designed to provide the knowledge necessary for interview assessment, together with a 44 point checklist (Appendix B) for supervisors to use during the assessment process. On completion of the distance learning material, it was advised that supervisors take part in workshops with their peers to reinforce the distance learning. The ‘supervisors checklist’ was presented in a tick box format, for “yes”, “no” and “not applicable”, together with a space for notes, but it is not clear what a supervisor should do if items are carried out but not completely, or well. In other words the checklist focussed on the quantity of behaviours observed rather than their quality. Indeed, there was no attempt at defining the items in the checklist, leaving this up to individual officers. There has been no published or unpublished studies that have examined consistency or validity of this checklist, although it was pilot tested before release to the police service (personal communication with original PEACE team leader, 1999).

The lack of research means that it is not known whether the supervision of interviews conducted in forces with a relevant policy is either valid or consistent. This is particularly concerning as Cherryman (2000) found there was little agreement between police supervisors when assessing the quality of the same sample of interviews. Indeed, police officers (who were not supervisors) in this study provided ratings closer to the researchers than the supervisors did. This could have been due to supervisors’ lack of current interviewing knowledge, PEACE training, or because many supervisors put a low priority on the supervision of interviews (Stevens, 1998). One sergeant, said that “There is no consistency of feedback. It is time consuming over and above all other duties...[PEACE] is like everything else, not followed up or given the time and resources to develop” (Stevens, 1998, p. 75). With comments like this Cherryman’s findings are unsurprising. In order to ensure consistency of evaluations during the Studies 2 and 3 of the current thesis, definition sheets were provided for the assessors. However, these definitions would not be suitable for use with the current supervisors checklist. The definition sheets were developed for use with specific assessment instruments for officers knowledgeable in PEACE. They did not provide examples of good and poor practice, which would be necessary to assist operational supervisors provide consistent assessments.

Therefore, it was decided to search for a different type of assessment scale that would provide greater guidance for assessors in the workplace as opposed to part of

a research study. A search of the literature relating to occupational psychology identified Behaviourally Anchored Rating Scales (BARS) as a type of rating scale that might be suitable for assessing interviews. BARS had the prospect of providing ratings that did not deviate greatly from rater to rater (a problem identified by Cherryman, 2000), or from one occasion to the next. In addition, the development process precludes the imposition of psychologists' values on the scale in favour of input by subject matter experts. Cherryman found that the police officers in her study provided ratings closer to the researchers than did police supervisors, and considered that in some circumstances (e.g. the use of firmness) police officers may have a better understanding of what is required than researchers.

Smith and Kendell (1963) developed BARS to overcome criticisms of the forced choice format of some scales (including the checklist mentioned above), and checklists as an assessment format in general where individual items can be too vague. BARS overcome these problems by providing assessment on a range of dimensions (or areas of assessment) supported by example behaviours that define the characteristic in question. The example behaviours are anchored to different points on a likert scale and should provide a range of examples that depict good, average and poor performance, all of which should aid the consistency of assessment.

There have been criticisms of BARS in the literature which can be divided into two broad areas relating to, (i) the collection/ recording of evidence, and (ii) bias introduced by the sample behaviours (Latham & Fry, 1988; Murphy & Constans, 1987). The first criticism relates to keeping a diary in order to provide evidence for assessments, and is not relevant to the assessment of interviews using an audio recording. However, the idea that the actual sample behaviours may be a source of bias is of concern because such bias would negate the purpose of the scale. Murphy and Constans (1987) considered that behavioural anchors may hinder rather than contribute to consistent assessments. They hypothesised that the sample behaviours may be given more weight by assessors than they deserve, or that assessors may base their assessment on the presence or absence of sample behaviours because they are more easily remembered. When the sample behaviours are actually just examples to give the assessor an idea of the type of the behaviours that are representative of different levels of performance across the dimension. Another potential source of bias relates to the provision sample behaviours than are not representative of the assessed persons overall performance. Borman (1979) (cited

in, Bernardin & Smith, 1981) proposed that raters have difficulty relating performance to the specific sample behaviours. If the assessors attention is drawn to the unrepresentative behaviours then the assessment could unfairly high or low. Although Smith and Kendell (1963) suggested the use of generic behavioural examples rather than critical incidents as this provides a broader range of everyday examples. Conversely, the ability to provide specific sample behaviours would enable the police service to include behaviours that they particularly wanted to be included in an interview (e.g. introduction or closure behaviours).

In a study using college students to rate a video recorded lecture Murphy and Constans (1987) found that raters did in fact focus on behaviour that matched the sample behaviours even when this was not representative of the lecturer's overall performance. They suggest that behavioural samples may bias the retrieval of behavioural information and that the type of example at different points on the scale may lead to different interpretations of scale. Murphy and Constans conclude from their results that the representativeness of the sample behaviours is important, that the sample behaviours do not bias behaviour observation only memory for the behaviour, and that great care must be taken when developing BARS. Indeed, Bernardin and Smith (1981) pointed out that one of the main problems with BARS is not completing the whole development process. Though concerns have been raised over the validity of BARS, the general consensus in the literature is that they provide a good rating instrument (Arnold, Cooper & Robertson, 1995). Thus BARS appeared to be suitable for assessing interviews.

In view of the importance of workplace supervision for the development of interviewing skills in the workplace that has been identified in the literature review, and the inconsistent assessment of interviews by supervisors in the research conducted by Cherryman (2000) it was decided to develop a BARS for interviews with suspects (witness interviews were not considered because they are not regularly recorded). This study reports the development of a BARS for investigative interviews with suspects, together with a pilot study that compared the consistency of BARS and the supervisors' checklist for assessing interviews.

Method

This section will initially provide a detailed examination of the BARS development process. After which the methodology used for comparing the BARS and supervisors checklist will be presented.

BARS construction

Smith and Kendell (1983) argue that when developing rating scales psychologists impose their own values on the raters. Therefore, subject matter experts were invited from every police force in England and Wales to assist in the scale construction. This resulted in 31 police officers (who were skilled in interviewing) attending the development workshops; 16 officers attended on Day 1 and 15 on Day 2. In order to further ensure that the author's views of interviewing did not influence the construction of the BARS, the workshop groups were facilitated by three independent occupational psychologists and another psychologist audited the process. On Day 1 the participants were divided into three groups and encouraged to identify the dimensions upon which they believed assessment of interviews with suspects should take place. This was followed by a plenary session during which the groups presented the dimensions that they had identified and discussed the content of the final list of dimensions. There was a great deal of commonality between the groups in the dimensions they had identified and many (e.g. questioning, challenge, closure) were included with little discussion. Other dimensions such as interview knowledge generated heated debate indeed, this topic became three dimensions. Eventually 18 dimensions were identified that would provide a comprehensive assessment of interviews with suspects (see Appendix F). The three groups were then reformed and provided with the agreed list of 18 dimensions. Facilitated by an occupational psychologist each group (independently) identified examples of good, acceptable and poor behaviour for all 18 dimensions. At the end of the process the three groups had identified a total of 300 example behaviours with which to seed the BARS.

On Day 2 a different group of police officers was once again split into three separate groups to carry out the retranslation process. This is the most important part of the BARS development. To ensure the behaviours identified on Day 1 actually represented the dimensions for which they were developed each of the three groups on Day 2 had to place the behaviours identified on Day 1 into the most appropriate dimension. Each group was provided with 300 individual cards each containing one of the behaviours identified on Day 1, each card had to be linked to one of 18 dimensions. Having retranslated the behaviours into the appropriate dimensions each group then rated the behaviour from good to poor on a 1 to 7 scale. Once again the whole process was facilitated by occupational psychologists and not influenced by the author.

All the statements were then sorted by dimension, and only those that were placed in the same dimension by three of the four groups (Day 1 participants, and the three Day 2 groups) were retained. Smith and Kendell (1963) recommended using only those behaviours where there was good agreement on the anchor point in the final scale. That is where there was 85% agreement for the position of a particular behaviour on the scale, which can be identified by the use of standard deviation (SD). The SD for each behaviour was calculated and only those behaviours with an $SD \leq 1$ the mean were retained. A draft scale was then constructed. During this process the number of dimensions was reduced from 18 to 16. The dimensions for planning and preparation were joined because the behaviours for each dimension were similar, and 'planning and preparation' is one phase of the PEACE interview. The dimension for "record matching" related to matching the conduct on an interview with its pre planned aims and objectives. This was dropped from the scale because most attendees had stated that it was impractical at that time for supervisors to match the aims of an interview with the interview process.

The draft scale was then sent out for comment from psychologists and interviewing practitioners across England and Wales. As a result of their comments the scale was amended and the dimensions were reduced from 16 to 11. 'Planning and preparation' was removed because respondents believed it would be difficult to identify evidence of this dimension from an audio record. The behaviours for 'model knowledge' were the same as those for 'listening skills', and as a result of the feedback 'model knowledge' was removed from the scale. Similarly, 'knowledge of points to prove' and 'knowledge of incident/ offence' were joined due to both dimensions using nearly identical sample behaviours. The dimensions of 'managing interview' and 'managing people' were also joined due to the similarity of their example behaviours. Finally, 'rapport' was removed because the behaviours were found elsewhere in the scale, particularly the 'introduction'. Most of this similarity was identified as the scale was being developed but in order to keep the authors' influence on the scale to a minimum the draft scale retained these dimensions. The feedback discussed above, resulted in a BARS for assessing interviews with suspects, that included the following dimensions:

- (i) Introduction – legal requirements,
- (ii) Introduction of the interview,
- (iii) Questioning,
- (iv) Listening skills,
- (v) Knowledge of incident/ offence and the points to prove,

- (vi) Procedural knowledge,
- (vii) Managing the interview and its participants,
- (viii) Challenging,
- (ix) Closing the interview,
- (x) Fairness, and
- (xi) Interviewer style.

Finally, an introduction and advice on how to use the scale was inserted at the beginning of the scale. A copy of the completed scale can be found at Appendix H.

BARS Pilot

Design

The design was a between subjects comparison study of the BARS and supervisors' checklist, with participants assessing two interviews using the BARS, and two using the checklist.

Participants

The participants for this study consisted of a selection of supervisors from six different police forces that agreed to participate in the research. Each force was requested to arrange for 16 police supervisors to assess four interviews. In view of the difficulties in arranging for police supervisors to participate in research, due to operational and managerial commitments, a liaison officer in each force agreed to identify participants. Participants were identified in a different manner by each liaison officer and the author had no control over their selection.

Material

Four interviews with suspects (from the sample used in Study 2) were used in this study. They were chosen to provide a range of skill levels (as previously rated), similarity of interview length and where possible similarity of offence. Further, the interviewees in all of these four interviews were rated as providing either a confession or comprehensive account (see table 5.1). All four audio recordings had details of the interviewers (electronically) removed, and copies of the amended recordings were made. Participants were provided with copies of the audio recorded interviews, BARS, the supervisors checklist, an instruction sheet, and an order for assessing the tapes (to overcome any order effect). Copies of the instruction and order sheets can be found at Appendix G.

Table 5.1 Overview of the pilot test interviews

	Length	Offence	Outcome	Assessment
Tape A	18	Assault	Comprehensive	Adequate
Tape B	16	Theft	Comprehensive	Satisfactory
Tape C	16	Assault	Confession	Needs training
Tape D	16	Assault	Comprehensive	Skilled

Procedure

Copies of the interviews and rating instruments were sent out to liaison officers at each of the six forces that agreed to participate in the study. The liaison officers then arranged for each of the supervisors to assess four interviews using the guidance provided on the instruction sheet. In addition each supervisor was asked to comment on

Results

A range of statistical analysis to determine measures of association (e.g. Phi, Cramer's Phi, and Kappa), and reliability of association (e.g. intraclass correlation) were considered for assessing these data. However, the checklist data was not suitable for the measures of association procedures because there were more than two responses for each item, whereas the BARS had too many missing cases (where supervisors had failed to provide an overall score for some dimensions) to use intraclass correlation. Consequently, a description of the data is presented in this section, which as will be seen, is probably the more informative method of presenting these data because it highlights a number of practical issues relating to the assessment of interviews. Following a description of the sample, the checklist data will be presented followed by the BARS data, and finally the raters' views of the two instruments.

Sample

Six police forces, each arranging for 16 supervisors to assess four tapes, should have resulted in 384 assessments. However, as with Study 3, the liaison officers had considerable difficulty obtaining supervisors willing to participate and assess the interviews. The final sample consisted of 84 assessments using the Checklist, and 85 assessments using the BARS, see table 5.2.

Table 5.2 Description of sample by tape

	BARS	Checklist
Tape A	20	24
Tape B	19	22
Tape C	24	19
Tape D	22	19
Total	85	84

Supervisors checklist results

The results for the supervisors' checklist will be considered in relation to the elements of the PEACE model, which is how the checklist is laid out. An overview of the checklist data by element of the PEACE model can be found at figure 5.1. This graph illustrates the extent to which the raters' assessment, using the checklist, agreed across the whole sample for each element of the PEACE model.

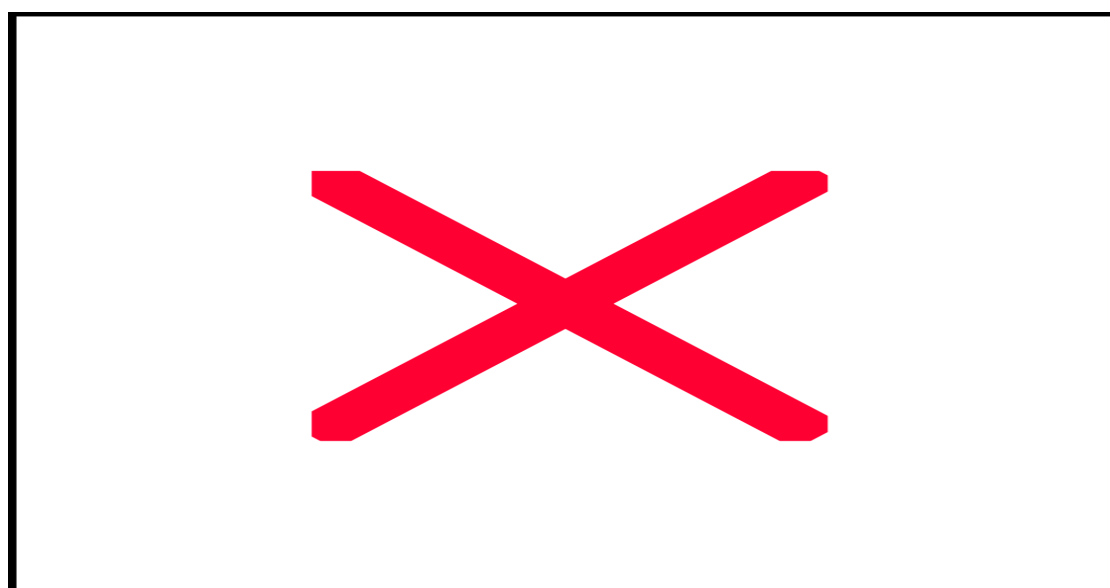


Figure 5.1 An overview of inter-rater agreement using the checklist

From this it would appear that there is generally good agreement between raters in all areas apart from planning and preparation and questioning. However, these were not the only areas of disagreement. For example, the mean agreement score for 'identifies persons present' was inflated by a large number of not applicable responses whereas, the overall agreement for 'account' hides a good deal of disagreement and this is discussed below.

There were six items assessed for planning and preparation which are presented in figure 5.2. (The numbers on this and the following charts refer to the question numbers on the checklist). As can be seen, inter-rater agreement for planning and preparation ranged from 41% for item 4 (had analysed available evidence?) to 96% for item 6 (plan of interview form completed), where there was agreement that the item was not observable. Four of the items in this phase were rated across the available assessment criteria. Indeed only two items 5 (prepared/ handled exhibits) and 6 (interview plan completed) demonstrated any consistency of rating, although this was only because the items were deemed not to be observable. All of which indicates that the 'planning and preparation' items in the checklist did not provide consistent ratings.

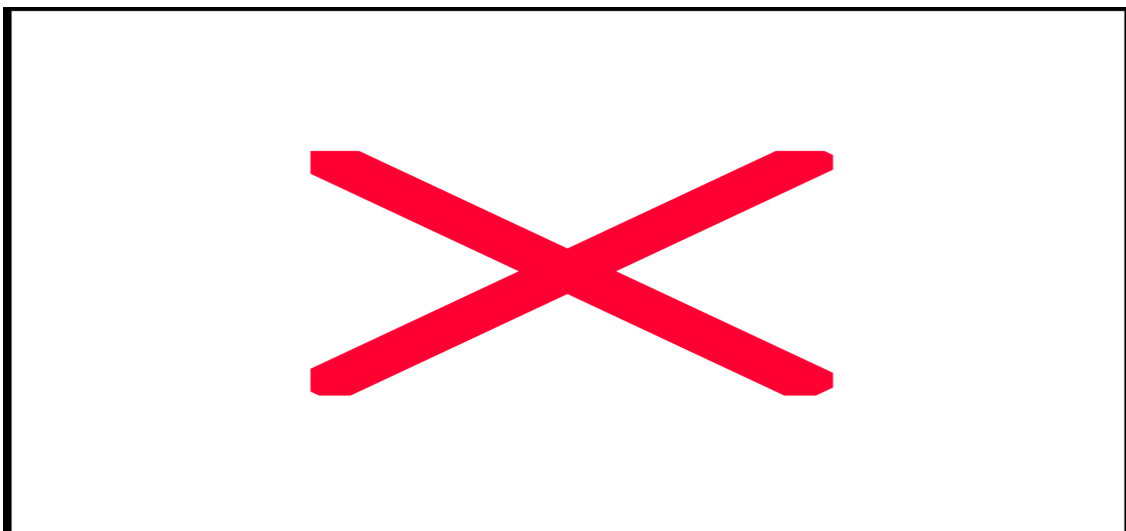


Figure 5.2 Inter-rater agreement for planning and preparation using the Checklist

The engage and explain phase is divided into two sections; (i) 'identifies', and (ii) 'explains'. Figure 5.3 suggests that the agreement for identifies was good across most of the seven items. However, item 7 (identifies self and explains role) and item 10 (solicitor identifies self and explains role) were not rated consistently. The reason for this was that some interviewers and solicitors did not identify themselves, and explain their role, usually they identified themselves only. One or two raters did add a comment that the interviewer or solicitor only carried out part of the task but it is not possible to determine this from the scores. This highlights the problem of checklist items containing more than one element, and being assessed with a yes/ no/ not applicable scale. In fact the only reason why 'identifies' had such good agreement in figure 5.1 was because items 11 to 13 were rated as not applicable.

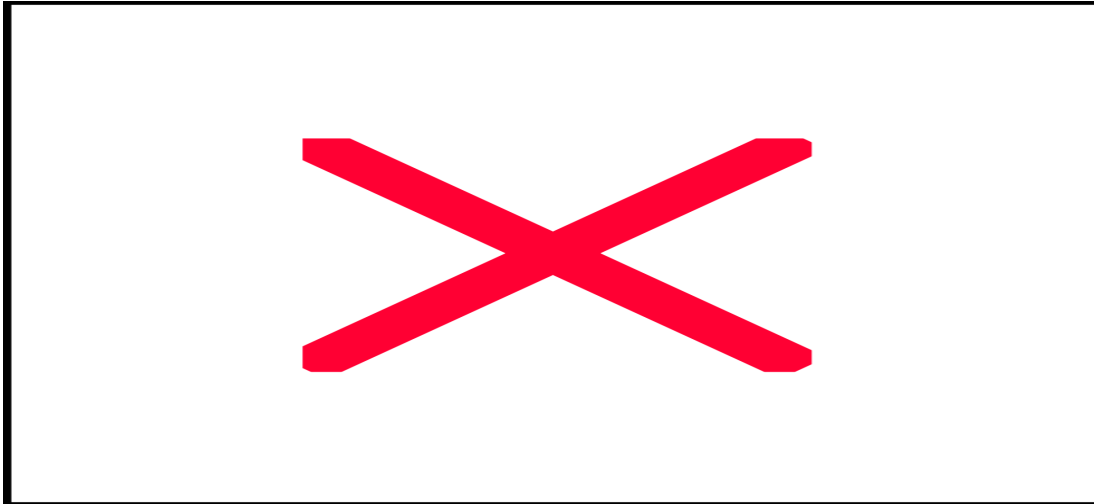


Figure 5.3 Inter-rater agreement for the 'identifies' items in the checklist

The second element of the engage and explain phase relates to explaining where the interview is taking place, the interviewee's legal rights and the purpose of the interview. Figure 5.1 presented an overall assessment of 78% for this part of the interview. Figure 5.1 presented an overall assessment of 78% for this part of the interview. The nine items that form this part of the checklist are shown in figure 5.4. Items 14 to 17 relate to the information that is presented by interviewers using an aide memoir card, consequently they show a high degree of agreement. The remaining five items relate to the provision of legal advice and the use of significant statements (item 22). (Significant statements relate to the right to silence under The Criminal Justice and Public Order Act, 1994.) These items demonstrated considerable variability in their assessment. For example, the ratings for item 20 (right to speak to a solicitor on the telephone) caused some concern as half the raters said that it wasn't applicable whilst the other half rated this item as yes. More importantly, the ratings of not applicable or no in relation to item 22 are worrying because it could indicate that the assessors did not have had a good knowledge of the law in this area.

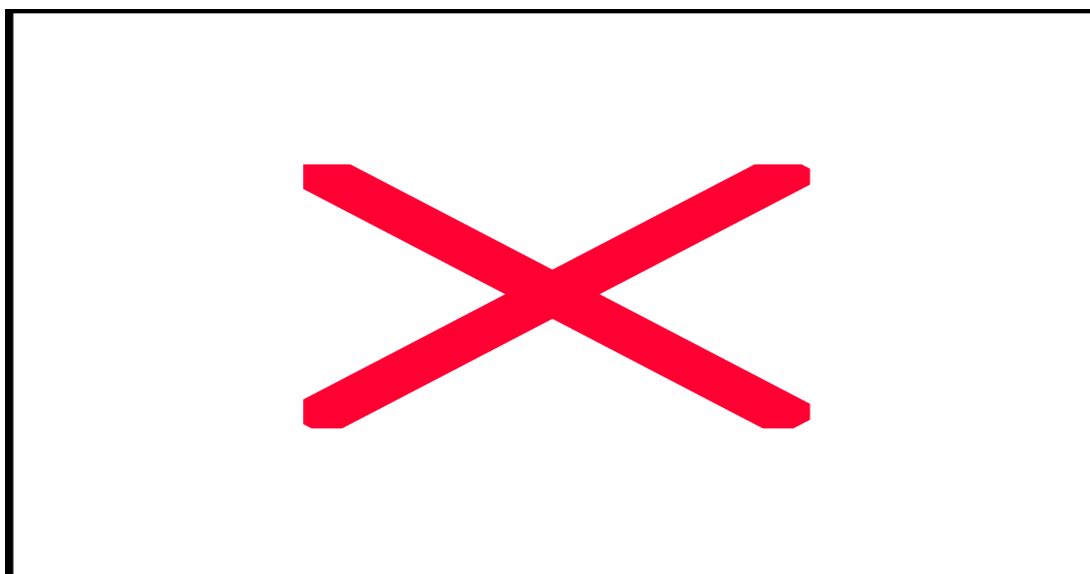


Figure 5.4 Inter-rater agreement for the 'explain' items in the checklist

Items 23 to 37 of the checklist relate to the 'account' phase of the interview. Figure 5.5 presents the percentage of rater agreements for the account phase items. As can be seen rater agreement ranged from 63% for item 24 (reinstates context) to 81% for item 27 (reviews information) and item 33 (exploration of motive). These percentages are generally a good reflection of the responses for Tapes A & B. However, for Tape C (previously rated as in need of training) the agreement rate was nearer to 50/ 50, whereas for Tape D (previously rated as skilled) there was about 80% agreement. There were four exceptions to this, (i) item 30 (deals thoroughly with police agenda) had good inter-rater agreement for Tape A but poor for the other three tapes which ranged from 53% to 63%, (ii) item 31 (explores full information obtained from police agenda) had good inter-rater agreement Tapes A and D (87% and 70% respectively), whereas Tapes B (53%) and C (62%) did not, (iii) item 32 (appropriately challenges inconsistencies, ambiguities, omissions, lies) had poor inter-rater agreement for Tapes B and D (57% and 55% respectively), and (iv) item 34 (covers points to prove) had poor inter-rater agreement generally. Therefore consistency of rating the account phase seemed to be dependent upon the perceived level of skill being demonstrated.

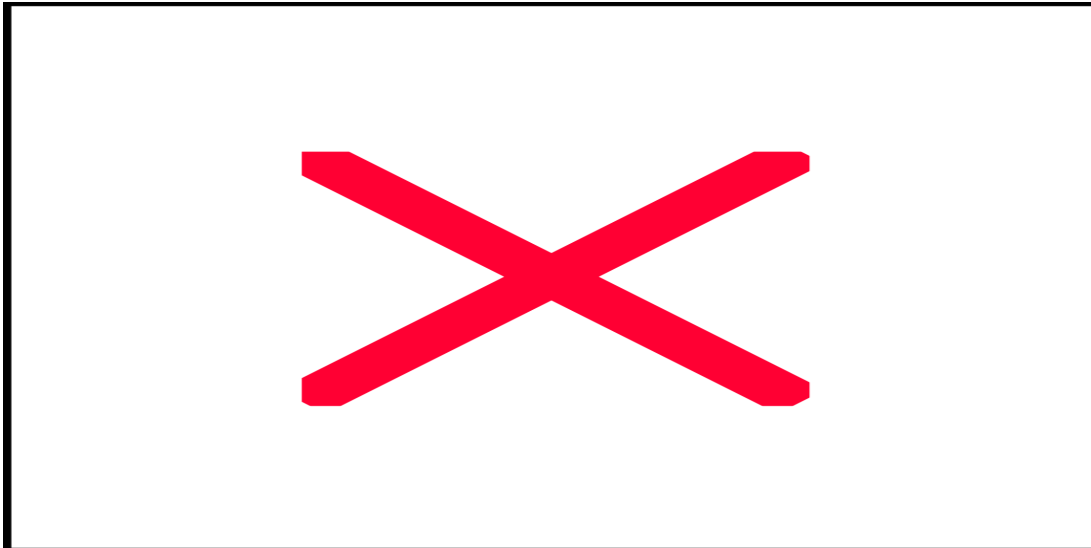


Figure 5.5 Inter-rater agreement for each element of the 'account' phase

A further three behaviours were assessed for the 'account' phase of the interview under the heading of 'interview techniques'. The three behaviours examined in this section related to questioning skills, listening skills, and overall style of the interviewer using a three point scale; 1 – Good, 2 – Satisfactory, 3 – Below satisfactory. From figure 5.1 it can be seen that the mean rater agreement for these items across the whole sample was 61%. For item 38 (questioning skills) the mean inter-rater agreement was 60.5% (range 47.6, Tape B to 78.3% for Tape A), for item 39 (listening skills) the mean rater agreement was 57% (range 43.5% Tape A to 75% tape D), and for item 40 (overall style) inter-rater agreement was 67.5% (range 50% Tape B to 83.3% tape A). Once again this suggests that inter-rater agreement is linked to the interviewers' perceived level of skill.

Finally, figure 5.1 demonstrated good agreement for the four items assessed during the closure of the interview. An item by item analysis provided a similar pattern of results and therefore no further details are provided here.

As noted previously, in addition to the three point scale the supervisors checklist provides space for raters to evidence their assessment. In the current sample this evidence was only consistently provided by officers from only one force. The remaining raters provided little or no evidence to support their assessment of the interviews. However, even the group who consistently provided evidence in support of their assessments did not use the same evidence for each interview. In fact the evidence was not usually for the same items on the scale, and even when the same items were considered the comments were usually different.

An examination of the checklist items by section has shown that the checklist provides poor consistency of assessment from one rater to the next for, planning and preparation, identifies, explain, and interview techniques. In some instances the differences related to supervisors not being consistent in their use of 'not applicable' and 'no'. However, in other places (e.g. item 20) the use of yes and no were inconsistent. Therefore, it is suggested that assessments using the checklist demonstrate little consistency from one rater to the next. This is unacceptable for a rating instrument that is used to develop staff and/ or form part of person's job appraisal.

Results – BARS

Inter-rater agreement scores for this scale were calculated by taking the greatest number of rater agreements for each dimension and adding to this those ratings which were plus or minus one on the scale. The percentage rater agreement was then calculated from this figure. This course of action was taken because it is unlikely that there would be complete inter-rater agreement across a 7 point scale and using the highest rating ± 1 would be more appropriate. The method is demonstrated by the examples in Table 5.3 below. Tape 1 illustrates the ideal position. However, as can be seen from Tapes 2 and 3, the method can distort the inter-rater agreement. By using the largest cluster (e.g. 4+4+6) Tape 3 agreement can be altered from 50% to 70%. Where this is the case it will be highlighted in the discussion.

Table 5.3 Calculation of inter-rater agreement

Rating	Tape 1	Tape 2	Tape 3
1	0	0	0
2	5	0	0
3	7	2	2
4	5	3	2
5	1	5	4
6	0	0	4
7	0	5	6
Agreement	94%	47%	50%

An overview of the BARS data by dimension (across all four interviews) is given at figure 5.6. These data show that inter-rater agreement ranged from 59% for the closure dimension to 75% for the managing, questioning and listening dimension. However, as with the checklist, these means hide a range of differences and issues which are discussed below.

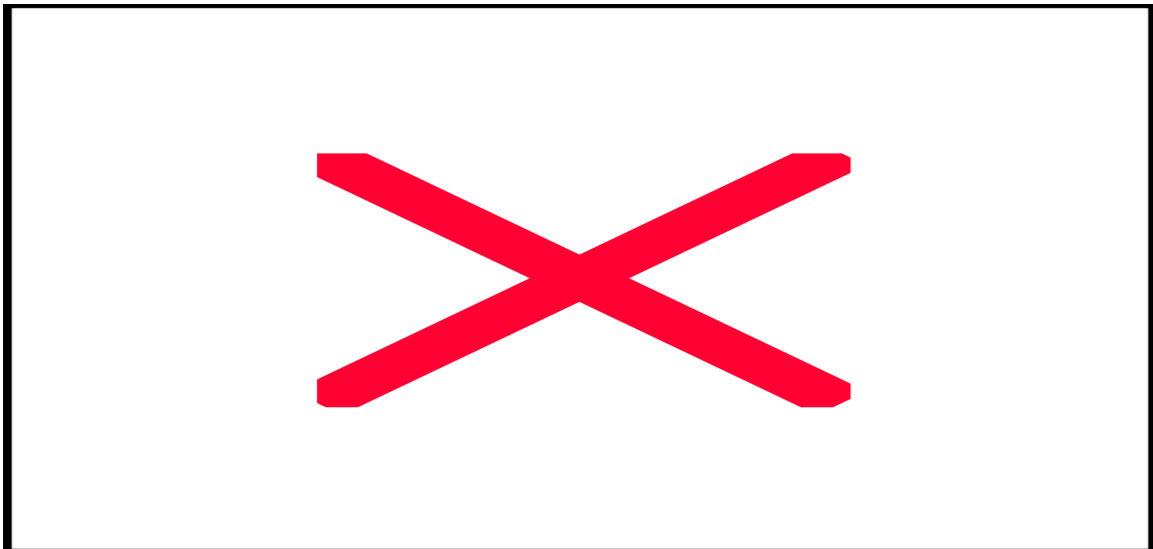


Figure 5.6 Mean ratings of BARS by dimension

The first two dimensions, introduction legal and introduction interview are illustrated per tape at figure 5.7. This illustrates that the inter-rater agreement ranged from 59% to 82% for introduction legal and 59% to 95% for introducing the interview.

An examination of the evidence used for 'introduction legal' indicated that the discrepancies are the result of two factors; (i) poor knowledge of the caution, and (ii) a surface rather than critical analysis of the interview. For example in Tape B the interviewer tried to ascertain the interviewees' understanding of the caution. The explanation provided was not accurate, though the interviewer indicated that it was. Some assessors picked up on this error and scored the interviewers performance accordingly, whereas others used the same evidence (checking the interviewees understanding of the caution) but did not pick up the inaccurate description. Low inter-rater agreement for Tape C concerned the importance that assessors attributed to having the interviewee explain their understanding of the caution and the lack of balance with other behaviours for this dimension. The dimension 'introduction of the interview' had good inter-rater agreement apart from Tape B which continued to suffer from the issue relating to the caution.

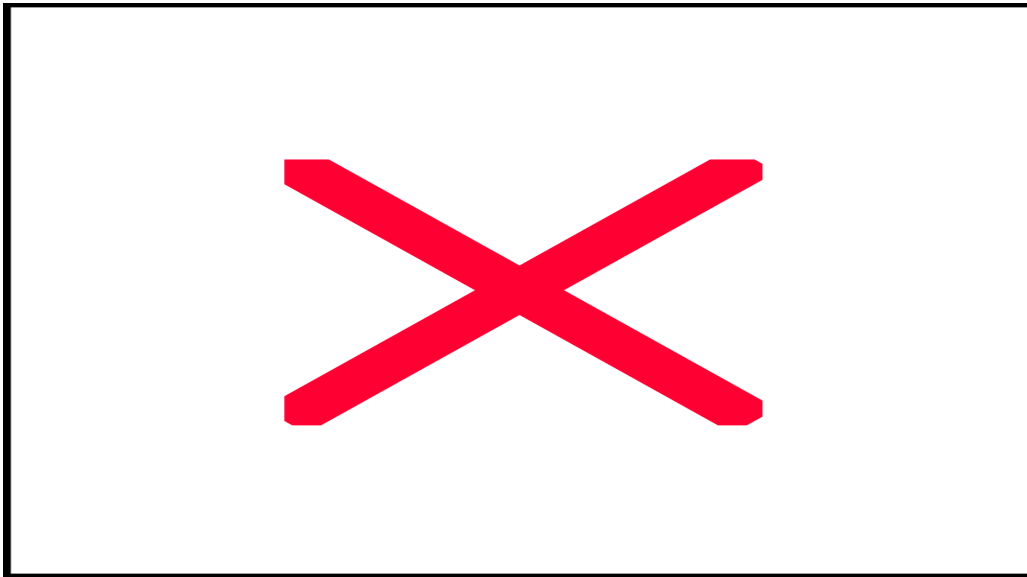


Figure 5.7 Inter-rater agreement for the Introduction of legal and interview information using BARS

The next two dimensions relate to questioning and listening skills. Agreement ranged from 53% to 94% for questioning skills and 74% to 83% for listening skills. These data are presented in figure 5.8. Once again Tape B proved problematic with an inter-rater agreement of 53%. a third of the raters providing a rating of 7, another third, 4 and the remaining third, 2 or 3. This demonstrates the problem of calculating the mean using the greatest value as the start point (see table 5.3) because on this occasion using the largest cluster would give an inter-rater agreement of 75%. The broad range of ratings for the same interview suggest a poor understanding of what constitutes good questioning by operational supervisors.

Listening skills seemed to present little difficulty for the assessors of this sample with agreement being between 74% and 83%. The interview that seemed to cause the most problems was Tape C where the interviewer had previously been rated as being 'in need of training'. Ratings for the dimension ranged from 3 to 7, unfortunately it is not possible to determine why the ratings were so diverse, from the raters comments.

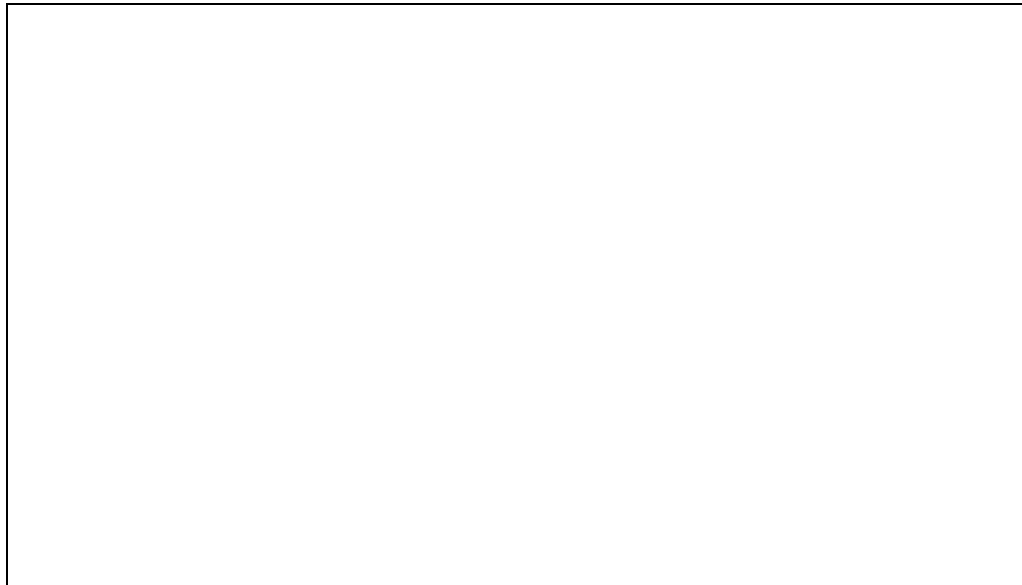


Figure 5.8 Inter-rater agreement for questioning and listening skills using BARS

Knowledge of the offence (including points to prove) and procedural knowledge are the next two dimensions that were assessed. Inter-rater agreement for knowledge of the offence ranged from 57% to 82%, with Tape B again proving problematic. Whereas inter-rater agreement for procedural knowledge ranged from 58% to 77%. These data are presented in figure 5.9. When assessing 'knowledge of the offence' for tape B, the assessors understanding of the law became an issue. In particular raters seemed not to understand whether all of the points to prove a (traffic) offence had been covered. One third of the assessors rated this as 6 or 7 with the remaining ratings being clustered around 3.

For procedural knowledge both Tape A and B appear to have caused problems for the raters. With Tape A this was a function of the way that inter-rater agreement was calculated. When this is changed to calculating using the largest cluster (see table 5.3) inter-rater agreement was 93%. Tape B continued to provide a challenge for the raters, for this dimension the interviewee had complied with the procedural examples that seeded this dimension and were applicable. However, those assessors who went beyond the surface of the interview highlighted the possibility of a significant statement that should have been put the interviewee, and the handling of exhibits. Once again this dimension identified a knowledge deficit on the part of the assessors, indeed the difficulties that assessors faced with this dimension are emphasised by the fact that 36% (n = 31) of the assessments had no rating for this dimension (the highest deficit for the whole scale).

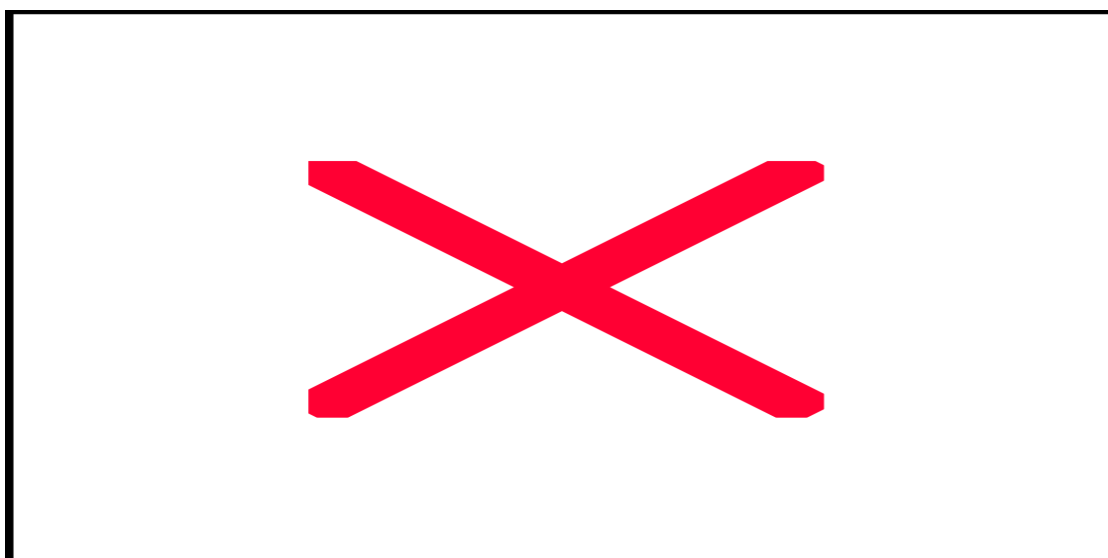


Figure 5.9 Inter-rater agreement for knowledge of the offence and procedural knowledge using BARS

Managing the interview and challenging the interviewee's version of events are the next dimensions, which are illustrated in figure 5.10. As can be seen, there was good agreement for 'managing the interview' which ranged from 71% to 89%. whereas inter-rater agreement for challenge was low (apart from Tape A) ranging from 53% to 61%.

The lower inter-rater agreement for managing the Tape A interview concerned the focus chosen by the assessors. Some raters concentrated on the top examples from the scale relating to remaining calm (in line with Murphy & Constans, 1987). Whereas those who provided a low rating concentrated on the poor manner in which the

interviewee was kept on topic and allowed to ramble. An appropriate and balanced assessment acknowledged both good and bad elements from this dimension.

There were several reasons for the poor inter-rater agreement for the challenge dimension. With Tape C it was an anomaly caused by the way inter-rater agreement was calculated. Had this been calculated using the largest cluster it would be 76%. With Tapes B and D it appeared that the raters had difficulty identifying what constituted good practice in relation to challenging an account. The interview on Tape B could be described as a calm conversation, rather than an interview, with little examination of the interviewee's account by the interviewer. This resulted in a third ($n=7$) of the raters not providing a rating for this dimension whilst others provided ratings across the full range of the scale. Tape D helped clarify the issue by providing clear evidence of the interviewer challenging what had been said. The raters picked up the same evidence when assessing this tape but one group rated the challenging as low because it was not confrontational. Whereas, another group of raters assessed the same evidence high because the interviewer (in the words of one rater) "puts other persons' version of events without raising conflict". Once again this dimension has highlighted the knowledge gap of some raters.



Figure 5.10 Inter-rater agreement for managing the interview, and challenging the interviewee's version of events using BARS

Ratings for closing the interview ranged from 57% to 78%. These data are presented in figure 5.11 where it can be seen that there was generally good agreement, apart from Tape C. In addition the percentage rater agreement for Tape D would have been 100% if the calculation had used the largest cluster (see table 5.3). Once again

the poor inter-rater agreement for Tape C, was a result of raters using the same evidence and scoring it differently. Those awarding a lower score pointed out that rather than giving the opportunity to add, alter or correct anything the interviewer said “unless there is something you want to clarify” and then closed the interview, giving no time to respond. Other raters believed that this was sufficient and awarded a high score even though the example in the rating scale points to the need to provide the opportunity and give time for information to be provided. Thus providing another example of supervisors different levels of knowledge.

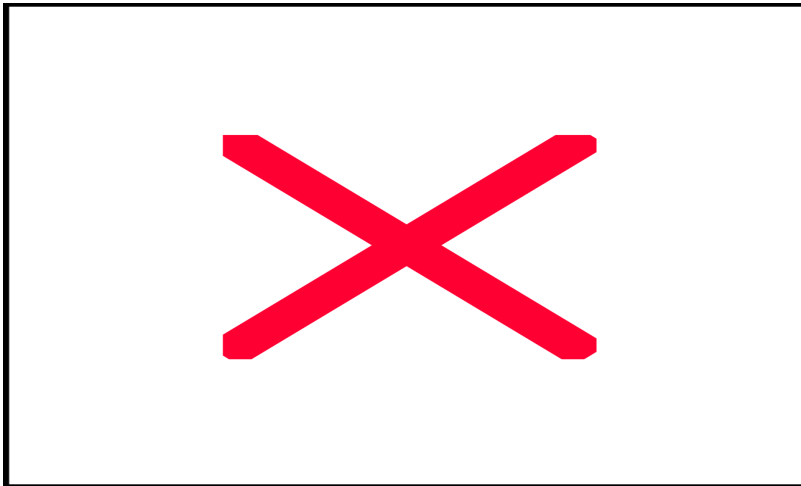


Figure 5.11 Inter-rater agreement for closing the interview using BARS

The final dimensions to be assessed were fairness and interviewer style which are illustrated in figure 5.12. This chart demonstrates that there was good consistency for fairness that ranged from 71% to 78%. Interviewer style elicited considerable disagreement amongst raters, except for Tape A where there was good agreement that the interviewer demonstrated poor style. For Tapes B, C and D inter-rater agreement ranged from 49% to 57%.

In relation to fairness an examination of the scores revealed that the scores ranged from 4 to 6 for each tape which suggests reasonable agreement as to what constitutes fairness. In most cases the evidence presented by the raters was similar and it is unclear how the differences in score occurred. However, two possible explanations come to mind, (i) raters believed that every behaviour from the example behaviours needed to be demonstrated before a high score was given, or (ii) raters had differing views of the value of the evidence used despite examples to guide them.

Interviewer style for Tape A received a consistent rating for poor interviewing style. The problem with the remaining three tapes was that the raters expected a more confrontational style of interview, which they labelled as being assertive! This was despite the fact that the PEACE model proposes a problem solving approach to interviewing. A nice illustration of the problem can be found with two comments on Tape C: (i) “very mundane, sounds as though he is reading from a script” (rating – 2), and (ii) “interviewer asks clear questions in an even voice, well spaced and not rushed in an easy to understand way” (rating - 6). These comments once again illustrate the differing views of supervisors regarding how interviews should be conducted.



Figure 5.12 Inter-rater agreement for fairness and interviewer style using BARS

Overall, the BARS assessments were not as consistent as had been expected. From the literature discussed previously it was hoped that the provision of example behaviours would improve rater agreement to above 90%. However, the primary cause of variability does not appear to have been as a result of the BARS itself. From the data provided by the assessors in this study it appears that variability related to three issues relating to the police supervisors, (i) understanding of good interviewing practise, (ii) understanding of law and procedure, and (iii) understanding that the behaviours in the scale are only examples.

Raters views on the two rating scales

All of the raters participating in the pilot study were asked to provide their views on using the 'Checklist' and 'BARS'. Of those participants who provided a specific preference 11 stated that they preferred the checklist, whereas only six stated that they preferred the BARS. 15 participants specifically stated that did not like the BARS, whereas only one stated that he did not like the checklist. The overwhelming view of the supervisors taking part in the pilot was that they preferred to use the 'checklist'. The main reasons given for liking the checklist were that it was seen as simple to use, user friendly, sequential, and provided the opportunity to set action plans. In contrast the BARS was viewed as being, confusing, complex, too long, and taking more time. Conversely, the positive views of the BARS related to the provision of example behaviours, which provided better (and more in depth) assessment, allowed differences to be highlighted, and one respondent said it was easier to use. Whilst criticisms of the checklist related to it not being as thorough, superficial, too rigid (the check boxes were seen as problematic), with too little space for evidence.

Overall, despite the generally poor attitude towards the BARS, there were a number of raters who identified considerable advantage to using this method, even amongst those who preferred the checklist. In particular they liked the example behaviours provided in the scale because they believed that this would aid consistency of supervision. However, difficulties were identified with the scale being spread over 11 pages (one for each dimension) though participants did note that using the scale became easier with practice.

Discussion

The findings of this study have shown that police supervisors continue to provide inconsistent assessments of interviews as found by Cherryman (2000) whether using the checklist or BARS. In addition this study has begun to identify why this occurs. Two broad problem areas were identified in the current study, which related to the (i) structure of the rating scale, and (ii) rater knowledge, these will be discussed in turn.

The structure of the current checklist was found to be problematic in the first instance because a number of items included more than one topic e.g. Item 10 – solicitor identifies self and explains role. This format makes providing a rating of Yes/ No/ Not Applicable difficult because if the solicitor provides their name but doesn't explain their role, how should the item be scored. A number of the participants criticised this

inflexibility when using the checklist, indeed this inflexibility was one of the reasons put forward by Smith and Kendell (1963) for their development of BARS. Not even the provision of written notes to support a particular rating really overcomes the problem of deciding whether to score this item as yes or no. Another issue relating to the checklists' three point scale concerns when supervisors should rate an item as no or not applicable. This issue was raised in the results section and could be overcome with the provision of greater guidance. Although this does not really overcome the underlying problem of the three point scale. The BARS overcomes this by providing examples of good or poor interviewing practice over a range of dimensions. Many of the participants liked the provision of these examples (even when they preferred the checklist!). Although the provision of such examples did not provide a better consistency of rating than the checklist. In part this was identified in the results as being related to rater knowledge but it could also have been linked to the difficulties found by some raters in assessing skills across the whole interview rather than sequentially. There is also a danger with the BARS that assessors will only provide assessments based on whether or not the example behaviours are present (Murphy & Constans, 1987). As was discussed in the results section an example of this was found in relation to procedural knowledge and the need for the assessor to consider whether a special warning was necessary. It seems to be the difference between assessors providing a surface or informed assessment.

The type and consistency of assessment provided by supervisors will depend to a large extent on their knowledge of the topic in question. It was not possible to determine why the range of assessments provided with the checklist was so diverse because so few raters provided any evidence to support their rating. The BARS format overcame this problem and it was possible to begin identifying how the diversity of assessments came about. In the first instance a number of assessors were just conducting a surface analysis of the interview. For example deciding whether or not the suspect had been cautioned and not whether the caution was accurate. On other occasions other assessors used the same evidence and scored it differently as was described in the results section in relation to challenging. In this example some assessors believed that a confrontational approach should be taken whereas others expected a problem solving approach (as advocated in PEACE (NCF, 2000)). This findings add weight to Cherryman's (2000) belief that differences in police supervisors' assessments may be due to poor knowledge of the topic. The findings of this study indicate that supervisors will need greater guidance if they are

to provide the consistent assessments that are necessary for interview supervision to be valid.

Latham and Fry (1988) suggested that for any rating instrument to be used consistently, the raters need to be trained in its use. Indeed Stockdale (1993) provided a comprehensive training needs analysis relating to interview supervision, for supervisors and managers. She proposed a distance learning approach to developing supervisors in the assessment of interviews. However, based on the range of knowledge and beliefs displayed by the assessors using the BARS in this study, neither the information sheets provided as part of this study or distance learning material, it can be argued, will provide sufficient knowledge to enable supervisors to consistently rate investigative interviews: whether they use the checklist or a BARS. Indeed, it could be argued that the only way to develop such skills would in a classroom environment where supervisors can have repeated exposure to examples of good and poor behaviour. Consideration should also be given as to who should assess investigative interviews. Stockdale pointed out that being a manager does not guarantee skills and knowledge for all areas of policing, whilst Cherryman (2000) found that the supervisors in her study did not have a good knowledge of interviewing. Many supervisors do not interview on a regular basis, so it may be beneficial for interviews to be rated by staff who do have a good knowledge of the topic no matter what their rank or grade. Indeed the assessors for studies two and three of the current thesis included constables to chief inspectors as the criteria for assessors was based on knowledge of interviewing and the PEACE model.

From the results of this study it is clear that further development of the BARS is needed in order for it to become a useful assessment instrument. Continued development would be advantageous because in 1999 the BARS developed in the current study mapped directly onto the competencies that had been developed for investigative interviewing as part of the National Competency Framework Project. Should the police service wish to continue to use the checklist, it will need further development to enable it to map onto these competencies, reduce the ambiguous items, and improve the current rating options. Finally, no matter which instrument the police service decide to use for interview assessments in the future, training will have to be developed to help police supervisors to consistently identify good interviewing practice.

Whilst this study provides an insight into the problems of evaluating police interviews with suspects, there are a number of criticisms that can be levelled at the methodology. It would have been advantageous to have provided detailed guidance in the use of the checklist. However, such guidance is not provided to operational supervisors, many of whom will not have had any training to assess interviews. Greater consistency may also have been achieved had the author been able to brief the participants personally, a process that was not possible due to the operational commitments of the participants and the author. Indeed, whilst the methodology could be improved, the manner in which this study was conducted provides greater ecological validity than a rigidly managed laboratory style study.

Conclusion

This study set out to develop a new rating instrument that provided behavioural examples to improve assessment consistency for interviews with suspects. The BARS that was constructed to meet this need was found to provide no greater consistency than the checklist currently in use by police forces across England and Wales. However, the BARS provided valuable insight into the manner in which police assessors rate such interviews. In particular it was possible to identify the diverse views of police supervisors concerning what constitutes good interviewing practice. Further research is therefore needed to develop a scale (and training) that will enable the consistent assessment of interviews in the future.

DISCUSSION

The purpose of this thesis was to examine the impact of PEACE interviewing on police interviewing practice across England and Wales. Following a survey of PEACE interviewing training (in June, 1998), two studies examined the impact of PEACE on real interviews with suspects and witnesses, including an appraisal of how supervision impacts on interviewing practice. A subset of the witness interviews underwent further scrutiny to determine the process undertaken during such interviews. As a result of these studies a Behaviourally Anchored Rating Scale was developed and tested for possible use in the evaluation of interviews with suspects. The implications of this research will now be discussed together with its impact on future police interview training in England and Wales.

Interviews with suspects

The sample of interviews with suspects used for this evaluation demonstrated few statistically significant differences between trained and untrained officers. Although trained officers were found to conduct longer interviews than their untrained colleagues do, this was at the expense of more overtalking, using more leading questions, and of statements. In part this lack of difference was due to the difficulties of finding an untrained sample that was naive and one that had not been influenced in some way by PEACE. After five years of PEACE training and the provision of various interviewing guides (e.g. CPTU, 1992; NCF, 1996; 1998; 2000), it would have been almost impossible to find an untrained sample (in England and Wales) that had not had some exposure to PEACE. In view of the problems with finding a naive sample it was deemed more appropriate to compare the current sample of interviews with (criticisms of) interviews conducted prior to the introduction of PEACE training.

A comparison with Baldwin (1992) found that the current sample of interviews provided a brighter picture than that reported by Baldwin. Whereas Baldwin had found little evidence of Planning and Preparation, under a quarter of the current sample was rated below the mean for evidence of this taking place. However, the raters did report that in a number of cases better planning and preparation would have enhanced the interview. They made comments such as "aware of case details but little evidence of interview planning" and "could have extended the interview if he had planned". Indeed Macpherson (1999) also pointed out that a lack of planning and preparation was still a problem with some police interviews. The results from Study 2

suggest that whilst there was evidence of planning and preparation, the quality still needs to be improved. Such improvement could be brought about by making written interview plans a mandatory feature of the interview process. This good practice has already been put in place by some police forces where they expect interview plans to be present with case papers.

At the outset of the interview, interviewers provided the appropriate information required by law and carried out some checks on the interviewee's understanding of the caution. This part of the introduction is provided on an aide memoir card. In addition, the grounds for arrest were provided in many cases. However, the elements of good social communication concerning the interview purpose and structure were not regularly provided. The reasons for this are unclear but historically 'interrogators' have revealed as little information as possible to those being questioned (Gudjonsson, 2003), and this practice may still continue. This may also have been part of a tactic to help disorientate the suspect. Shepherd suggests that "any conversation is a task of joint orientation" (Shepherd, 1991, p. 42), and not providing this information may be a tactic by officers to dominate the interview (Gudjonsson, 2003; Shepherd & Kite, 1989). Another explanation is that the disjointed nature of 'A Practical Guide to Interviewing' has resulted in this element of the interview being given less emphasis in the training. As a result officers do not understand that providing details of the interview purpose and structure will help them to develop a rapport with the interviewee. Another behaviour that was not evident in most interviews. It is believed that an explanation of the interview process and structure could be improved with mandatory interview plans, where the purpose and process of the interview is explicitly laid out by the interviewer.

Although interviewers generally did not explain that the interview was an opportunity for the interviewee to provide their version of events, most interviewers were found to provide some encouragement for interviewees to provide an account, with 70% being rated at or above the mean. In addition, there was evidence that interviewers could deal with difficulty and keep the interviewee on topic, which are improvements on Baldwin's findings. There was, however, little evidence of the interview models taught on the PEACE course being used. This could be due to officers believing that CM and CI are inflexible (e.g. Collier & Styles-Power, 1998; Rigg, 1999) as discussed in the literature review, even though PEACE is meant to provide a flexible approach to interviewing. Another explanation is the possibility (proposed by George, 1991) that teaching two methods of interviewing at the same time results in one style

confounding the other. This is a topic that would benefit from further research. Nevertheless, despite the lack of CM or CI, the interviews in Study 2 were found to have a logical structure, but the exploration of information, development of topics, together with the use of summaries and links was not apparent. This lack of exploration extended to poor coverage of points to prove (a problem also identified by McGurk et al., 1993) and motive for the offence. When questioning suspects, interviewers interrupted less (including over-talking) and used fewer leading questions than in previous studies, although interviews were still dominated by the use of closed questions. This combination of skills and the pattern of questioning are enabling interviewers to dominate the interview and keep the interviewee on topic. Unfortunately, this style provides a rigid process that is not conducive to obtaining a complete account. Indeed only about one third of the interviewers were rated above the mean for flexibility and open-mindedness.

The final stage of an interview is the closure. Once again it was found that the legal requirements were complied with in nearly all interviews whereas summarising the interview and providing information about what will happen after the interview were poorly covered. This is in line with the findings of McGurk et al. (1993) who found that "the protocol for closing the interview tends to be rushed or even omitted altogether, perhaps due to pressure" (p. 23). Closure is an integral part of the PEACE model, although as discussed in the chapter on PEACE this element of the interview is often omitted from training sessions. Whilst there is some controversy as to whether interviews with suspects should be summarised (indeed some legal representatives argue that it is unlawful), summaries are a feature of good communication. They also provide a good opportunity for the legal advisor to identify which elements of their client's account the officer is concentrating on and for the suspect to add, alter or correct the interviewer's perception of their account. Without such a summary suspects may find it difficult to determine what they are meant to add, alter or correct at the end of the interview. The closure phase could be improved with explicit practice during training, providing an enhanced aide memoir card with a scripted closure, and supervision which targets closing an interview. Indeed, it is closure, which will leave a lasting impression in the interviewee's mind. Thus it is essential to get it right.

The points raised above regarding the use of interviewing skills when conducting interviews with suspects were born out in an examination of those behaviours which discriminated level of skill. It was found that only five behaviours discriminated level

of skill (e.g. planning & preparation, use of questions, challenge, CM, and open mindedness) and that they did not include any of the communication skills that are the hallmark of good interviewing practice. However, those five behaviours accounted for 74.2% of the variance and therefore provide a useful model of police interviews with suspects.

Overall, interviews with suspects demonstrated some improvement with the introduction of PEACE interviewing. The legalistic mechanics of the interviews with suspects are now being appropriately dealt with and an ethical approach to interviewing appears to be developing. However, the information-gathering element of the interview is being conducted in a rigid manner, rather than flexibly as suggested in 'A Practical Guide to Investigative Interviewing' (NCF, 1996; 1998; 2000). The acquisition of an account is a core element of the PEACE interview, once obtained it should be explored (as necessary) to obtain further detail whilst being tested against evidence already held by the interviewer. Few interviewers in this sample demonstrated either flexibility or an explanation of the account.

These problems appear to stem from police interviewers not understanding the need to modify their communication skills during formal interviews. Hargie and Dickson (2004) suggest that most of us use large numbers of questions on a daily basis without much thought, but that this is not acceptable for professionals. Indeed they quote Dillon (1997) who suggests: "the professional practice of questioning is nothing like our everyday use of questions, instead requiring of us effortful thought and concentrated behaviour" (p. 131). It is therefore suggested that people have schema for how to use communication skills (including questions) that are based on experience, culture and the norms for our social group. These schema are at odds with those that are required for interviewing suspects, and without suitable training, ongoing practice, and feedback police officers are unable to modify them. Support for this proposal comes from the wide literature on the need to support training in the workplace (e.g. Brinkerhoff & Montesino, 1995; Broad & Newstrom, 1995), and the finding that supervision in Study 2 demonstrated some improvement in communication skills.

The police service needs to address the problems with communication skills by emphasising to staff that interviewing is a flexible procedure which allows interviewees to talk about the event in question. This skill may not be easy to acquire but it should be developed as part of continuation training. These data demonstrate

that there is still a gap in skills between actual police interviewing and good interviewing practice. The findings from Study 2 identify topics that should be incorporated into continuation training relating to the interviewing of suspects (e.g. explanation of the interview purpose and format, structured exploration of the account, and closure.) Such training should help to build on skills development that PEACE training has started.

Interviews with witnesses

The proposal that information from witnesses and victims is central to most criminal investigations has been made several times in this thesis. However, in England and Wales the police service does not really know the number of interviews that are conducted with victims and witnesses each week, month or year. Nor is there any information regarding the number of these interviews that result in a formal witness statement, suitable for presenting to the courts. Prior to the introduction of video recorded interviews with children, Flin, Bull, Boon and Knox (1992) conducted a survey for the Scottish Office to determine the number of child witnesses cited to testify in criminal proceedings, but there is no comparable data for adult victims and witnesses. Therefore, it is very difficult to determine the impact on the service that interviews with witnesses and victims has. This would be a fruitful area for future research.

Whilst we may not know the numbers of witness and victim interviews that are conducted they are an important element of the criminal justice system. Study 3 provided the first large-scale examination of real interviews with adult victims and witnesses since the introduction of PEACE. These data consisted of interviews relating to bulk and serious crime. The interviews relating to bulk crimes were of a poor quality with 26% of interviewers failing to introduce themselves, 38% failing to introduce everyone present, and 40% of interviewers failing to provide details of the date, time and place. Some interviewers even cautioned their witnesses/ victims, and/ or gave the legal advice option (a requirement for interviews with suspects only) which implied that the interviewee was as much a suspect as a victim or witness, and could well have had a detrimental effect on the interview. Apart from the negative ramifications during the interview such as making the witness/victim highly anxious, this practice could jeopardise the evidence provided during the interview. There are guidelines in relation to children, vulnerable and intimidated witnesses for when the interviewee's status is unclear (e.g. witness or suspect), there are none currently for the general adult population. This is concerning as a growing number of witnesses

(relating to serious crimes), who may later become suspects, are having their interviews recorded by audio or video, especially during the investigation of serious crime. Indeed, new guidelines relating to vulnerable and intimidated witnesses (including bulk crimes) mean that there is likely to be an increase in the number of witness interviews that will be recorded using audio or video tape. The police service needs to address the problem of adult interviewee status with the provision of clear guidance on the topic.

The poor start to these witness interviews continued throughout the engage and explain phase with little information being provided about the interview purpose or process (as was found in the interviews with suspects). This appears to be an enduring problem with police interviews despite the importance of this aspect of human communication (as discussed in the chapter on PEACE). Why police interviewers fail to explain the interview purpose and processes when interviewing witnesses is a topic that would benefit from further research, so that interviewing practice can be improved. When it came to the interviewee providing an account, there was little evidence of the techniques (CM or CI) proposed by the PEACE model, although CM was found to be one of the three factors that discriminated level of skill. Nevertheless, there was little evidence of interviewing taking place at all. Nor, where appropriate, were the elements of the Turnbull ruling (i.e. ADVOKATE) dealt with in a comprehensive manner. Interviewing generally took up only a quarter of the time recorded with the remaining time being focussed on writing a statement. Study 4 clearly demonstrated that the bulk crime interviews recorded for this study had such a focus. By focussing on writing a statement and clarifying what they were writing, interviewers used mainly closed questions. Indeed, over half of the interviewers in Study 3 were rated as never or almost never using questions appropriately across the whole interview. These findings suggest that many interviewers are using the same format identified over a decade ago (Fisher et al., 1987; George, 1991) which George labelled the standard police interview.

The findings from Study 4 suggest that this interviewing style may actually be a function of the statement taking process itself. One result of interviewers focussing on the statement and believing that *"it was not an interview as such, I am just taking a statement off you"* appears to be a less than complete account. These issues are taken up again below. Only a third of the interviewers in Study 3 were rated as having obtained a comprehensive account. Poor technique was found to continue into the closure phase of the interview, with summaries of the interview and the

opportunity to add, alter or correct what the interviewee had said being given in just over a third of interviews. Details of how the interviewee could provide further information or what would happen next were rarely considered. The whole process seems to have been dominated by a sense of haste rather than an (increasingly rare) opportunity for the police to obtain information which may prove to be valuable in the investigation and prosecution (or elimination from an enquiry) of persons suspected of crime. The findings thus indicate that witnesses and victims of bulk crime are not being interviewed as such, rather they have statements taken from them using poor interviewing practice. Unfortunately, this style of obtaining evidence was not affected by training and trained officers were as poor as untrained.

The poor use of PEACE interviewing skills was reflected in the reduced number of officers rated as being skilled in Study 3. Only 10.8% ($n = 8$) of interviews with witnesses were rated as 'skilled', as opposed to 13% ($n = 24$) of the interviews with suspects. All of the skilled interviews with witnesses were conducted by trained officers. The remaining interviewers were rated as 'satisfactory' or 'in need of training', and whether or not they had received training did not influence this rating. However, the more important message from these data is that the ratings for the account behaviours assessed for bulk crime witness interviews were below the median for the scale. This indicates that the general level of skill was **poor**, and when it came to using the CI 'skilled' interviewers were also rated as being poor (e.g. below the mean). Consequently, only three of the behaviours assessed in Study 3 were found to discriminate level of skill. These behaviours were encourage account, CM and open mindedness, all of which have good face validity with regards to interviewing witnesses. Overall the raters believed these interviews to be of a poorer quality than those with suspects, in part because of long periods of silence, as one rater noted : *"the biggest impact listening to the tapes was the silence when the officers were writing the statement and the effect this had on the witness. You could hear them sighing and making other noises of boredom"*. Similar comments were noted by a number of the raters e.g. *"very long pauses and irrelevant chat during the statement taking and also watching the TV during the process"*. In Study 4 it was found that long periods of silence occurred whilst the interviewer was actually writing out the statement. All of which indicates that McLean's (1992) findings regarding the interviewing of witnesses and victims being far worse than that of suspects is still valid.

The data from Studies 3 and 4 indicate that PEACE interview training has not improved officers' performance when interviewing victims and witnesses of bulk crime. These data clearly identify a skills gap between how officers actually interview victims and witnesses and good interviewing practice. This gap spans the whole interview process from initial introductions through obtaining and expanding an account to closing the interview, and is exacerbated by a police culture that views victim and witness interactions as statement taking exercises rather than interviews. The police service needs to develop refresher training to address the skills gaps identified in this research, so that police interviewers are able to facilitate witnesses to provide the most comprehensive (and accurate) account that they are able.

By focussing on statement taking it is argued that the interviewer will be working from a statement taking script rather than an interviewing script. It is suggested that such a script would focus on the required content of the written statement rather than obtaining a comprehensive account. The statement taking script may also contain elements of the SPI identified by Fisher et al. (1987) and George (1991) because the predominance of closed questions that was found in Study 4 and would be needed to obtain the next piece of information that the interviewer requires to write the next sentence of the statement. However, good interviewing requires a script that focuses on obtaining the interviewee's account rather than the statement. The schema and scripts used by police officers to interview witnesses is an area of interviewing that would benefit from research. Such research could then be used to help police interviewers break out of their current script relating to poor interviewing technique and start to use a more appropriate script.

It could also be argued that poor interviewing is related to the type of crime being examined. Therefore, a comparison of interviews by crime type was conducted and described in Study 3. As would be expected, serious crime interviews were longer (average = 90 minutes) and contained a range of significantly improved behaviours when compared with those for bulk crime. Serious crime interviews were recorded as an integral part of the investigation process and despite being longer interviews, did not include statement taking, all effort being focussed on conducting the interview itself. Current practice (in England and Wales) for serious crime interviews is for the interviewees to read and sign a written statement that has been constructed from the recorded interview, at a later date. One would expect interviews concerning serious crimes to be conducted by skilled interviewers only, although the findings in Study 3 were that serious crime interviews were conducted by officers with differing levels of

skill, and a third of the interviewers were assessed as being in need of training. Nevertheless, more interviewers were rated as being skilled in the serious crime sample, and more comprehensive accounts were obtained than in the bulk crime sample. This resulted in a perception of more professional interviews with better introductions and rapport building, greater encouragement to give an account, that was then explored in greater depth. Serious crime interviewers were also rated as more skilful at questioning and listening, had better flexibility, and were more likely to explain how to provide further information at a later date. However, they demonstrated little or no use of either the CM or CI despite the extensive literature on the benefits of using CI (see Koehnken et al., 1999, for an overview). All in all the serious crime interviews provided contradictory messages because whilst they were generally rated as being conducted more professionally than bulk crime interview, in some important areas (e.g. planning and preparation, use of CI), there were few differences in skill. Once again the interviews relating to serious crime demonstrated a skills gap for many of the interviewers who conduct such interviews, a situation that had already been identified by one police force (Trafford, 1996). Therefore, the provision of refresher training for these officers is as important (some may say more so) as it is for those investigating bulk crimes. Such training should include instruction in good communication skills and use of the CI, because there was little evidence of its use in the serious crime interviews, even though laboratory and field studies have demonstrated that it helps to improve witnesses' recall of events.

The improved interviewing skills and more detailed accounts found in the interviews relating to serious crimes suggest that when there is time, resources, and (perhaps) the motivation to interview properly, police interviewers who do not have to take a statement will use PEACE more readily. This finding suggests that PEACE interviewing with witnesses and victims may improve given the right environment. Recent legislation in England and Wales (Youth Justice and Criminal Evidence Act, 1999, and The Criminal Justice Act, 2003, s137) has increased the range of witnesses and victims whose interviews will be recorded on video or audio tape. However, this leaves a substantial number of victims and witnesses whose interviews will not be recorded in this manner and from the data collected for this thesis may not be 'interviewed' at all. These interviewees may well be disadvantaged by just having a statement taken from them. Studies by McLean (1992) and Daniell (1999) have highlighted that it is during the statement taking process that information is lost, which would be retained if all witness and victim interviews were recorded. McLean found that on average 16 pieces of information per interview were likely to be missed

in this way, and seven years later Daniell still found evidence provided during the interview was missing from the written statements. Writing statements in the first place (i.e. not recording), their research suggests, results in a third of all the information reported by the interviewee being lost from the statement. Whereas the research conducted for this thesis suggests that when written statements are taken from witnesses the statement becomes the focus of the interaction rather than the interview. According to some authors such missing information is one of the major factors in wrongful acquittals (see Milne & Bull, 1999; Milne & Shaw, 1998, for more on this issue).

The disadvantages that appear to be inherent in written statements could be overcome by recording all witness and victim interviews, and this is clearly the way forward. Recording (audio or video) an interview and later getting the interviewee to go through and sign the statement can also help keep witnesses informed of how an investigation is progressing in accordance with the Victims Charter (Home Office, 1996). In addition, it is known that new information concerning the crime is likely to be recalled over time, so returning to sign a statement would help extend the functional life of an interview. Indeed, a witness/victim may be more willing to appropriately correct an interviewer at a later date, when they may be less tired, less traumatised etc. The police service in England and Wales is currently in a position to dramatically change its working practices as it did when the mandatory recording of suspect interviews was introduced. Evidence currently emerging with regards to victim and witness interviews is every bit as damning as was produced before the recording of interviews with suspects started. With the requirement to record some adult witness and victim interviews under the Youth Justice and Criminal Evidence Act, 1999 nearly in place, this would seem the obvious time for the service to demonstrate its professionalism and to opt to record all interviews with witnesses and victims providing event relevant information (occasions where the person is only identifying or confirming ownership of property, clearly do not need to be recorded). In doing so the police service would be acting in line with the 1990 ACPO report accompanying its 'Statement of Common Purpose and Values', which stated "The police service firmly believes that the public is right to have the highest expectations of consistent and professional standards of service to be provided by the police in all circumstances" (cited in George, 1991, p. 133).

The audio/ video recording of witness and victim statements is clearly a step towards such professionalism. It is acknowledged that such a move would have important

consequences in terms of resources and legal issues. In particular, whether the recordings would constitute the interviewees' evidence in chief in all circumstances or only for those people who are vulnerable. Although a leading barrister and staunch advocate of recording witness interviews has suggested that such recordings could be accomplished with the use of handheld tape recorders (Heaton-Armstrong, 1995). Despite the difficulties of recording (by audio or video) all witness and victim interviews, it is believed that such a move will be an important step forward in the evidence gathering process. Whether or not the police service introduces the practice of recording all witness and victim interviews, a growing number of them will be recorded as a result of the legislation mentioned above, and the good practice guidelines of the 'Murder Investigation Manual' (NCF, 1999). This will result in police interviewing practices with victims and witnesses coming under increasing scrutiny and criticism, unless remedial training is put in place as a matter of urgency.

Another feature of the witness and victim interviews was the locations at which they were conducted. Traditionally such interviews take place at a location convenient to the interviewee, usually their home or place of work. Unfortunately, these environments offer a range of distractions, which impede the process of searching memory. The need to consider the environment in which any interview takes place has been highlighted in the literature (Baldwin, 1992; Fisher et al., 1987), though this doesn't seem to have been addressed in relation to interviews with the victims and witnesses to crime. Indeed evidence from this study indicates that in some circumstances interviewing at home or work could affect the evidence being gathered, as spouses were apt to provide information their partner was unsure about. Thus resulting in a joint account of an event rather than just the interviewee's. In view of this the police service needs to consider moving victim and witness interviews to the police station in a bid to minimise distractions and interruptions. Such a move would also help facilitate the recording of interviews with victims and witnesses.

Should the police service not take up these challenges, at this time, then there are others that will. Currently there are a range of organisations both in private and public service, who have understood the good practice proposed by PEACE and are actively teaching their investigators how to interview, facilitating the recording of interviews, and then using those recordings to supervise and develop their staff (e.g. British Airways, Department of Health, Inland Revenue). In the future the police may find themselves in a position where they are not the preferred or the most professional organisation for obtaining victim and witness evidence. In addition, if the

service does not improve the recording of victim accounts then a number of issues must be considered. By not allowing or giving a victim or witness the opportunity to fully give their account of events the police are clearly not providing a quality professional service. In order to improve that service to victims and witnesses of crime the police service needs to actively discourage the idea that officers primarily 'take statements' from these people. The introduction of compulsory interview plans may go some way towards officers planning and conducting a structured interview, rather than taking a statement. However, as has already been stated, audio or video recording such interviews is by far the best solution for improving victim and witness interviews. Should such a move not be implemented then the whole purpose of a statement and the recording process would benefit from further research. The resulting knowledge could then be used to help officers interview before constructing statements that would be acceptable to all parties in the criminal justice process, thereby minimising the current practice of defence lawyers using such documents to attack witnesses.

Interview supervision

A core theme in this thesis has been the importance of workplace supervision and support, a practice that should have underpinned PEACE interviewing in line with the recommendations of Stockdale (1993). Despite the fact that the Home Office and ACPO provided training material and an assessment instrument in support of interview supervision, the whole idea was not well received by the police service. The survey conducted for Study 1 in June 1998 found that just 49% of respondents had a supervision of interviewing policy in place, and a further 16% indicated that such supervision was carried out but without a specific policy. Apart from 24% of respondents interview supervision related to interviews with suspects.

For the first time in England and Wales Studies 2 and 3 included a condition for whether or not supervision was in place for PEACE interviewing. The results from Study 2 demonstrated that the setting of a policy was significantly associated with improvement in the manner in which the caution is given and checked, but more importantly the structure of the interview itself. In particular, there was more evidence of: (i) conversation management; (ii) summarising and linking information; (iii) explaining that the interview is an opportunity for the interviewee to give their account; and (iv) improved information regarding the interview purpose and processes. This is particularly important because little evidence of using CM or CI was otherwise found in any of the interviews from Study 2 or 3. These findings

suggest that supervision can help interviewers alter their schema for communication skills from that used everyday, to that required in professional settings (Dillon, 1997; Hargie & Dickson, 2004). Similarly, supervision can help to develop officers' poor interviewing schema (e.g. SPI) to that incorporating good interviewing practice. However, Lamb et al. (2002b) found that (in relation to interviews with child witnesses) supervision needs to be an ongoing process otherwise interviewers soon revert to their old (and usually poor) interviewing practice.

However, the setting of a policy does not mean that it will be complied with, and the evidence of previous studies such as Collier and Styles-Power (1998), Stevens (1998) and Rigg (1999) all point to this being the case. Indeed, conversations between this author and colleagues from across England and Wales indicate that the supervision of interviewing is only being applied in an ad hoc manner. Pockets of good practice usually being found where there is a supervisor who has a particular interest in investigative interviewing, or who supports new learning as part of their normal supervision practice (Brinkerhoff & Montesino, 1995). Whilst none of the supervision policies in place in 1998 specifically related to interviewing victims and witnesses, the interviews provided for Study 3 demonstrated that just the provision of an supervision policy had some impact on the quality of the bulk crime interviews. In particular, untrained officers at locations where there was no supervision policy were less likely to introduce themselves in a clear manner and they conducted significantly shorter interviews.

In view of these findings one must ponder the question that if just the provision of a policy has a significant impact on practice, how much more impact would there be if the policy were put into practice? It is believed that regular and good quality supervision of interviews would lead to a dramatic improvement in the transference of PEACE interviewing skills to the workplace. This need was emphasised by HMIC in their study of police training (HMIC, 1999) who stated that they “**cannot stress too much** [their highlight] that managers and supervisors at all levels must:

- (i) accept responsibility for the development of their staff;
- (ii) recognise that developing staff is a key part of their role; and
- (iii) be actively involved in supporting staff who are undertaking training”(p. 78).

In fact ‘A Practical Guide to Investigative Interviewing’ does provide guidance for supervisors on how they can enhance the usefulness and skills transference of staff attending a PEACE course. It is not known to what extent this is used. What we do

know is that relatively few supervisors actually assess the interviews of their staff. A common reason given for not doing this is time. When Stockdale (1993) examined the supervision of interviews, officers provided three times as many excuses for not supervising interviews as there were for carrying out supervision. This is not to say that first line supervisors do not have a heavy and increasing workload, many do. The issue is one of priority - what priority does the police service put on the interviewing skills of its staff? The huge training commitment required for PEACE training would suggest that the service places a very high priority on police interviewing skills. Three independent studies (Paisley, 1998; Stevens, 1998, & Rigg, 1999) have all concluded that interviewing skills should be part of an officer's annual appraisal. However, it is not just the interviewers who need their performance linked to the appraisal system, supervisors should then be evaluated on their staff performance because Moss and Martinko (1998) found that when supervisors have their own performance linked to their subordinates they are more likely to provide relevant supervision. Linking officers' interviewing performance to their annual appraisal, and the annual appraisal of their supervisor's is clearly one method of ensuring interview supervision is actually conducted.

Senior managers also have a part to play here. The police service must acknowledge the importance of interviewing, not just by setting policy but by incorporating the results of supervision into their assessment of business excellence and value for money. This would overcome the *laissez faire* attitude encountered by Stevens (1998) and encourage overt support for interview supervision at senior command level because, to paraphrase Elliston, (1995) "if it doesn't get measured it won't get done". Gaspar (1997, p. 20) suggested that there are now "two agendas: one to identify the fundamental beliefs and attitudes of managers which are causing problems. The second to create action through positive marketing of the changes that are sought". For the police service to develop staff interviewing skills further senior managers must implement and support a coherent policy concerning the supervision of investigative interviews.

Assessment instrument

One of the requirements of supervision is that it needs to be consistent (Smith & Kendell, 1963), to help provided consistency a 44 item checklist is included with PEACE. This instrument has a number of flaws that could result in different supervisors applying different standards, a situation that would be unacceptable if interview performance becomes part of the appraisal system as has been suggested.

Study 5 presented the development of a new rating instrument designed to overcome the checklist problems by using a Behaviourally Anchored Rating Scale (BARS). The BARS was then tested and compared to the checklist using officers from six separate forces. Results from the comparison study demonstrated a number of inconsistencies regarding inter-rater agreement using both the checklist and BARS. As anticipated, many of the problems were as a result of the difficulties in applying the scale to an item that has more than one behaviour (e.g. solicitor introduces self and explains role). However, there was no research available that had examined the checklists' usefulness for assessing interviews with suspects. Using the BARS format and a seven point scale overcame some of the checklist problems, although it must be acknowledged that supervisors were not comfortable using the BARS in part because of its layout, but also due to the need for them to consider performance across the whole interview rather than discrete items in a chronological order.

The BARS scale provided a more informative evaluation of the interviews with most supervisors including evidence to support their ratings. Interestingly, the scale helped in determining why there was such poor inter-rater agreement using these assessment instruments. A number of supervisors seemed to be assessing the interviews at a superficial level and not picking up on important errors or omissions. In addition, there were differences in supervisors' understanding or misunderstanding of legal, procedural, and good interviewing practices that were identified using the BARS. Something that was not possible with the checklist. A further bonus for using BARS was that in 1999 the BARS mapped directly onto the competencies that had been developed for investigative interviewing as part of the National Competency Framework Project. Adopting the BARS or a similar scale would mean that there would be a direct link between the expected competencies for investigative interviewing and their assessment. It was unfortunate that the BARS did not result in a more consistent assessment of interviews during Study 5, as a result further research is needed to develop BARS into an assessment instrument, which together with suitable training, will afford such consistency. Such research **must** include methods for the consistent assessment of interviews with witnesses and victims. Currently, consistent assessment is often provided to police forces by academics and is costly (Lamb et al., 2002a; Lamb et al., 2002b) because academics are frequently engaged on a consultancy basis. However, when the support is removed both the quality and quantity of information elicited declines (Lamb et al., 2002b). Therefore, further research is needed to develop tools so that the police service can provide consistent ongoing support in house.

The future of PEACE

Study 1 of this thesis identified that most of the police forces who responded to the questionnaire had large numbers of their staff trained to use PEACE. However, the findings of later studies (2 and 3) found that the impact of this training on interviewing practice has been variable in relation to interviews of suspects. The interviewing witnesses and victims demonstrated little improvement in relation to bulk crime, and varied improvement in relation to serious crimes. With so many staff having undertaken PEACE training it would not be possible to consider re-training those officers in need of further development. A more practical solution would be for the police service to develop a modular training program (e.g. communication skills, interviewing witnesses, interviewing suspects) that could be delivered to officers based on individual needs. These needs could be identified with the consistent application of a workplace supervision program. Modular training would also fit in with the growing range of interviewing situations (e.g. vulnerable witnesses, murder suspects, terrorism) that police officers need to manage. The growing complexity of police interviewing means that a single PEACE course will no longer meet the police service's needs and some form of modular approach would be more appropriate.

Shepherd (1988) proposed that a career span perspective was necessary in order to develop police interviewing skills. Clarke and Milne (2001) developed Shepherd's ideas into a four tier approach to investigative interviewing:

- Tier 1 – Basic interviewing skills for all new officers (probationers);
- Tier 2 – Development training for all officers based on individual need, and including the supervision of interviews;
- Tier 3 – Specialist training such as interviewing vulnerable people, and training trainers; and
- Tier 4 – Interview advisors who advise on and manage interviewing during serious investigations.

This proposed structure for interviewing development across England and Wales, together with the various recommendations laid out in this discussion were presented to the Home Office and police service in Clarke and Milne (2001). That report became one the foundations of a new ACPO working group on investigative interviewing set up in April 2001. This group developed the idea of a tiered approach further to, incorporate 5 Tiers:

- Tier 1 – Probationer training;
- Tier 2 - Uniformed investigators and detectives;

Tier 3 – Specialist interviewers – Victim/Witness/Suspect

Tier 4 – Investigative interview manager

Tier 5 – Specialist interview management (Centrex, 2004, p. 3).

This was subsequently adopted by ACPO in 2003. In addition, a set of National Standards were developed, by the working group, for each tier and submitted to the Policing Skills Standards Organisation (PSSO). To link the tiers and standards the current author helped to develop a set of curriculum documents, incorporating training aims and objects for each of the five tiers, which were intended to become the foundation for future police interview training across England and Wales. These aims and objectives were informed by studies 2, 3, and 4 from this thesis. The current research helped to identify the direction in which PEACE interviewing should be developed in the future

However, from the literature discussed in this thesis and the findings from Studies 2, 3, and 4, further development of police interviewing skills is unlikely to take place without consistent and continued workplace support. Initially this step is in the hands of senior police managers, who as highlighted by Stockdale (1993) over ten years ago, must change police culture to include developmental supervision (rather than disciplinary based supervision) as part of the everyday managerial process. The police approach to supervision has been seen as authoritarian in nature and is historically linked to the armed forces. Traditional models of supervision like this are usually top down and focus on fault finding (Glanz, 2000). Whereas, the PEACE model suggests a reflective practitioner style (Schon, 1984) in which practitioners develop future practice by reflecting on previous practice. This is an established method of supervision within social services and according to Smith (1996) is based on the work of Dawson (1926) and Kadushin (1992). Smith suggests that supervision includes the promotion and maintenance of good standards of work, and staff development. Whilst Salaman (1995) proposed that the whole purpose of a managers existence is to improve the performance of their staff. It is suggested that adopting the supervision model used by social services staff could help improve police supervisors attitude towards interview supervision, and police interviewing performance. Indeed, this is a model that HMIC (1999) recommended in their appraisal of police training across England and Wales.

This work has already started with the identification of an interviewing champion of ACPO rank (Commander to Chief Officer) within each police force across England and Wales. In addition the ACPO Investigative Interviewing Conference in May 2005

focussed on interview supervision. Nevertheless, the police service needs to be supported by research to develop and test practical methods for assessing investigative interviewing (across all of the 5 Tier framework) and to enable workplace support to be conducted by supervisors.

Limitations of the research

There were several limitations to the studies conducted for this thesis that relate mainly to the conduct of naturalistic research. Overall, it was not possible to collect antecedent information (e.g. length of service, experience) from the officers who conducted the interviews. Consequently it was not possible to determine the extent to which these issues impact on the conduct of investigative interviews. Future studies that include the evaluation of police interviews would benefit from the collection of such data.

The interviews evaluated in study 2 were all conducted as part of investigations into real crime and chosen by liaison officers rather than the author. Therefore, they relate to a range of different offences that would have differing levels of complexity and evidence. This could mean that the interviewers were assessed for conducting interviews of differing levels of difficulty. The interviews were also of various lengths and it is possible that the longer interviews enabled the assessors to get a better understanding of the interviewers' skills. In a laboratory situation it would have been able to control for these effects. However, this research was funded by the Home Office and supported by several police forces, which meant that ecological validity had to be the focus of this research with all of its attendant trade offs.

The core theme of this thesis has been the impact of PEACE training on interviewing practice. It has been pointed out elsewhere in this thesis that in 1998 it would have been nearly impossible to find an untrained sample of police officers in England and Wales who were totally naive about PEACE. Study 1 identified that most police officers in England and Wales had been PEACE trained by the summer of 1998, and there would be few untrained officers who had not conducted an interview with a trained colleague. In addition, there was, and still is, a considerable amount of PEACE literature in police stations across England and Wales. This means that untrained officers in studies 2 and 3 probably had some understanding of PEACE interviewing and may not have been completely untrained. This was further compounded by the fact that the record keeping for training records (e.g. Elliston, 1995; Jones, 1996), therefore it is possible that some officers identified as untrained

may have been trained and vice versa. These issues would account for limited differences found between trained and untrained officers.

All of the interviews in studies 2 and 3 were assessed by police officers, which could be seen as a limitation due to previous research that has identified that police officers' assessments are not always consistent with each other (Cherryman, 2000). Cherryman's findings imply that obtaining consistent ratings requires the use of researchers in investigative interviewing, or raters who have been trained to assess interviews consistently. Due to the proposed numbers (study 2 – 177, study 3 – 79) of interviews involved in these studies it was impractical for the author, or the author together with other researchers to assess the large numbers of interviews involved. Similarly, due to the operational commitments of suitable police officers it was not possible to train police raters to provide consistent interview assessments. Therefore, officers knowledgeable in PEACE were identified to carry out the evaluations, and to aid consistency they were provided with definitions sheets. Ten percent of the interviews for study 2 were double rated to determine inter-rater agreement. Inter-rater agreement was found to be good at 79%. Nevertheless, it is probable that this could have been improved had trained researchers conducted the evaluations.

The bulk crime interviews assessed in study 3 were recorded at the request of the author rather than as an integral part of the investigation process (as the serious crime interviews were). Despite having been provided guidance by the author and police force liaison officer, the interviewers recorded these sessions in the manner that they saw fit. This has resulted in some interviews having an introduction and closure similar to that found in interviews with suspects, whilst other interviews just started and stopped. Indeed, the similarity to officers' usual experience of interviewing suspects may have resulted in interviews that were closer interviews with suspects than interviews with witnesses are usually. However, that was the only way witness interviews could be recorded in England and Wales at this time which resulted in even greater differences between these interviews and those evaluated in study 2. Nevertheless, these data provide a unique window into the way that real interviews with adult witnesses are conducted. This alone makes the recording and assessment of these interviews valuable.

In study 4 a sub-set of interviews (from study 3) were subjected to further analysis by the author. The identification of which interviews to include in the study and the subsequent coding of this data was conducted solely by the author. It could be

argued that these interviews were not a random sample and that this biased the results. Clearly the interviews do not represent a random sample, but they do represent a sample of interviews relating to the crime of assault. It was not practical for another person to code the data for this study, and therefore the author went through the coding three times in order to identify inconsistencies. Nevertheless, it is possible that consistency is not as high as it could have been had more than one person rating the data.

Finally, the testing of the BARS and checklist in study 5 was managed by a liaison officer in each of the participating forces. Whilst guidance was provided for the liaison officers and supervisors who participated in the study there was no guarantee that this guidance was followed. Therefore, it is not known how the BARS and checklist were presented to the supervisors and whether this biased the supervisors' views on these instruments. Similarly, because the evaluations were not conducted in laboratory style conditions it is not known whether there were differences in the way the evaluations were conducted, and if there were such differences whether they affected the overall evaluation of the interviews. The use of liaison officers in this study enabled a greater quantity of assessments to be conducted, however this might have been at the cost of consistency. Future development of this scale might be more appropriately conducted in a laboratory setting.

Further research

Following the conduct of research for this thesis a number of fruitful areas for future research have been identified. From the findings of studies 2 and 3 it became apparent that police officers have difficulty adapting their communication skills from everyday conversation to that required in professional contexts (Hargie & Dickson, 2004). There is now a large body of research relating to what constitutes good investigative interviewing skills (see Milne and Bull, 1999, for an overview), and other evidence suggesting that police officers already have a common schema for interviewing witnesses (Fisher et al., 1987; George, 1991). It would be informative to determine whether such a schema exists for interviewing the suspects of crime. Research could then be conducted as to the best method of updating these schema to incorporate good interviewing practice. Fisher and Geiselman (1992) provide help for the interviewer to expand an interviewee's account beyond a schema driven memory for an event. It is possible that similar guidance is needed for police officers to work beyond their schema driven view of how interviews should be conducted.

Evidence from studies 3 and 4 suggests that police officers may 'take statements' rather than 'interview' witnesses relating to bulk crime. It was suggested that the schema identified by George may in fact relate to statement taking, as opposed to interviewing, and this needs to be clarified. Witness statements are an integral part of the investigatory and judicial process in England and Wales, and the focus of much criticism (Heaton-Armstrong, 1995; Shepherd & Milne, 1999). Rock (2001) has suggested that police officers are ill-equipped to interview and record a written statement at the same time. Further research is needed to identify the best method of achieving this, thus enabling the police service to obtain the most complete and accurate information from witnesses, and then accurately present this information in written format.

One method of improving the development of interviewing skills is through workplace supervision. The literature on training transference (e.g. Brinkerhoff & Montesino, 1995; Garavaglia, 1993) including that in relation to investigative interviews (Lamb et al., 2002a; Lamb et al., 2002b) identify the importance of this aspect of training. This was also reflected in study 2 where there were some improvement in skills as a result of supervision. It is now important for the police service to embrace the notion of interview supervision. However, further research is needed to identify the best method of conducting interview supervision, and develop suitable tools (such as the BARS in study 4) to assist with that process.

CONCLUSION

In conclusion, this thesis has found that between its inception in 1993 and the start of this research (in 1998) most police officers in England and Wales had been trained to use the PEACE model of interviewing. During this time PEACE training seems to have gained a bias towards interviews with suspects but generally remained a five day course in 1998. Probably as a result of PEACE training, interviews with suspects have seen some improvement although this appears to be mainly in relation to the legal aspects of the interview and self confidence, whilst basic communication skills together with using the two models of obtaining an account (CM and CI) require further development. Interviews with witnesses (concerning bulk crime) were still being conducted poorly, as found by Fisher et al. (1987) and George (1991). From an examination of a small sample of such interviews the author has proposed that this is, in part, due to officers' focus on the written record, rather than obtaining an account. Whilst interviews with witnesses, concerning serious crime, were of a better

quality officers were still making only minimal use of the two models for obtaining an account. Importantly, a comparison of forces with and without a supervision policy found significant improvements in interviews with suspects where a supervision policy was in place, and some suggestion that these policies also had an affect on interviews with witnesses. These findings, concerning supervision, join a growing body of research that is highlighting the importance of this aspect of police interviewing practice (Lamb et al., 2002a; Lamb et al., 2002b). A range of recommendations based on the findings from this research have been submitted to the police service, and may currently be having a positive impact on the future development of police interviewing across England and Wales. Future research concerning police interviewing would benefit now from a focus on how to provide good ongoing support in the workplace.

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APPENDIX A – FLOW CHARTS FOR WILLING AND UNCOOPERATIVE INTERVIEWEE'S

APPENDIX B - SUPERVISORS CHECKLIST

APPENDIX C – SURVEY QUESTIONNAIRE

APPENDIX D - INTERVIEWS WITH SUSPECTS RATING SCALE AND DEFINITIONS LIST

APPENDIX E – INTERVIEWS WITH WITNESSES RATING SCALE AND DEFINITIONS LIST

APPENDIX F – CODING DEFINITIONS FOR STUDY 4

APPENDIX G – ASSESSORS INSTRUCTIONS FOR CHECKLIST AND BARS

APPENDIX H – BEHAVIOURALLY ANCHORED RATING SCALE FOR INTERVIEWS WITH SUSPECTS